

# **Manager's Report on submissions to the draft Wicklow County Development Plan 2010-2016**

*Wicklow County Council*

*Draft County Development Plan 2010-2016*



*Report to the members of Wicklow County Council under  
section 12(4) of the Planning & Development Acts 2000-2008*

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## SECTION 1 INTRODUCTION

### 1.0 INTRODUCTION

#### 1.1 STATUTORY BACKGROUND TO THE MANAGER'S REPORT

This Manager's Report forms part of the statutory procedure for the preparation of a County Development Plan, as required by Section 12(4) of the Planning & Development Acts, 2000-2008 and sets out to:

- (i) List the persons or bodies who made submissions or observations under this section i.e. during the public consultation period of the Draft County Development Plan 2010-2016 and the Draft Environmental Report,
- (ii) Summarise the issues raised by the persons or bodies in the submissions or observations, and
- (iii) Give the response of the Manager to the issues raised, taking account of any directions of the members of the authority or the committee under *section 11(4)*, the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives in the area and any relevant policies or objectives of the Government or of any Minister of the Government and, if appropriate, any observations made by the Minister for the Environment, Heritage and Local Government under *subsection (3) (b) (iv)*.

This report is submitted to the Members of Wicklow County Council for their consideration as part of the process for the preparation of the County Development Plan 2010-2016 and the associated Strategic Environmental Assessment.

Members have a period of up to **12 weeks** from the date of receipt to consider the Manager's Report. Following consideration of the Draft Development Plan and the Manager's Report, the Members may, by resolution accept or amend the Draft. If the Members decide to materially amend the Draft Plan a further period of public consultation will be necessary. The amendments to the Draft Plan must be advertised, and the proposed amendment(s) made available for public inspection for a period of not less than 4 weeks. Written submissions or observations only in respect of the proposed amendment(s) to the Draft Plan, made to the planning authority within the stated period, must be taken into consideration before the making of any amendment.

## **1.2 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) & HABITATS DIRECTIVE ASSESSMENT ('APPROPRIATE ASSESSMENT')**

A Draft Environmental Report and Appropriate Assessment Screening Report accompany the Draft County Development Plan 2010-2016. The Draft Environmental Report contains a detailed analysis of the Draft County Development Plan 2010-2016 and how the implementation of the Plan would impact on its receiving environment. The Appropriate Assessment Screening Report evaluates the necessity to carry out a full Appropriate Assessment of the draft plan.

The Manager's recommendations as set out in this report have been assessed to determine whether they would have any significant impact on the environment and / or any Natura 2000 site. It was considered that the amendments proposed in this Manager's Report to the Draft County Development Plan 2010-2016 would not have any significant adverse effect on the environment / Natura 2000 sites. If, however, the Planning Authority engages in a further round of public consultation for proposed amendments to the Draft Plan, the public notice must additionally state that information on the likely significant effects on the environment / Natura 2000 sites of implementing the proposed amendment(s) will also be available for inspection and that a submission or observation in relation to such information made to the Planning Authority will also be taken into consideration before the making of any amendment.

## **1.3 CONTENTS & FORMAT OF THIS REPORT**

This report is laid out in five sections for ease of legibility and reference as follows:

Section 1	Introduction
Section 2	Guidance for the Elected Representatives
Section 3	Summary of Manager's recommended amendments
Section 4	The submission of the Department of the Environment, Heritage and Local Government, other prescribed bodies and elected representatives
Section 5	Public submissions on the draft plan

**Appendix 1** Proposed revised Chapters 3, 4 and 5

**Appendix 2** Response to issues raised relating to the Strategic Environmental Assessment / Appropriate Assessment

Following the provision of some guidance for elected members, this report will set out the Manager's recommended amendments. These amendments arise on foot of the submissions received, as well as any new information or data that has become available since the publication of the draft plan, whether or not that new information / data has been raised in any submission. As a significant number of changes are proposed to Chapters 3, 4 and 5, the entirety of the proposed amended chapters is included in this report as Appendix 1.

In addressing submissions received, this report will deal initially in Section 4 with the submission of the Department of the Environment, Heritage and Local Government , followed by any submissions from prescribed bodies and submissions from elected representatives in County Wicklow.

Section 5 will then address the remainder of the submissions. Given the large number of submissions and the wide range of topics addressed, these submission will be evaluated under a series of 'headings' which will correlate to the chapters and headings in the draft plan.

It should be noted that Sections 4 and 5 will deal only with the 'planning' issues raised, in that any issues raised with regard to the Strategic Environmental Assessment /Appropriate Assessment will be dealt with in Appendix 2 included in this report.

For all submissions, the Manager's will provide an opinion on the issues raised and a recommendation in relation to the topic. Where the Manager is proposing amendments to the draft plan, these will be set out under each topic, with new text is shown in red and deleted text in ~~blue strikethrough~~.

#### **1.4 PUBLIC CONSULTATION**

The Draft County Development Plan 2010-2016 and the Draft Environmental Report were put on public display on Thursday 15<sup>th</sup> October 2009. Written submissions and/or observations were invited for a 10-week period ending Wednesday 23<sup>rd</sup> December 2009. During this public consultation period the Council pursued a proactive approach in an attempt to raise awareness of the Draft Development Plan among the citizens of the County and other stakeholders, and by doing so encourage a greater degree of public participation in the overall process.

The Draft Plan and associated documents were on display at the following locations:

- The Council's website
- County Buildings, Wicklow Town
- Council Offices in Greystones
- Council Offices in Blessington
- Arklow Town Council Offices
- Wicklow Town Council Offices
- Civic Offices Bray
- All branches of Wicklow Libraries.

Hard copies and CDs of the draft Plan [written statement, including appendices, environmental report and maps] were available to purchase at the Planning Counter, County Buildings, Wicklow Town or could be requested by phone / email.

Several public information days were held where staff from the Council's Planning Department were available to answer questions and to assist in making a submission. The information sessions took place from 3:00pm-5:00pm and 7:00pm-9:00pm at

- **Blessington:** Tuesday 3<sup>rd</sup> November 2009 Blessington Civic Offices
- **Arklow:** Tuesday 10<sup>th</sup> November 2009 Arklow Town Council Offices
- **Carnew:** Thursday 12<sup>th</sup> November 2009 Carnew Enterprise Centre
- **Bray:** Tuesday 17<sup>th</sup> November 2009 Bray Civic Offices
- **Greystones:** Thursday 19<sup>th</sup> November Greystones Council Offices
- **Wicklow Town:** Tuesday 24<sup>th</sup> November 2009 Wicklow County Council Offices
- **Baltinglass:** Tuesday 1<sup>st</sup> December 2009 Baltinglass Golf Club

The Development Plan team were also available to deal with queries in person each Wednesday in County Buildings, during the display period.

## SECTION 2 GUIDANCE FOR ELECTED REPRESENTATIVES

### 2.0 INTRODUCTION

Responsibility for making a development plan, including the various policies and objectives contained within it, in accordance with the various provisions of the Planning and Development Act 2000 as amended, rests with the elected members of the planning authority, as a reserved function under Section 12 of the Act.

In his preamble to Development Plan Guidelines (2007), the Minister emphasises *“the decision-making role that local elected representatives, in delivering their democratic mandate, play in the making of the development plan”* and describes the importance of the elected representatives to *“have an active and driving role in the entire process, from its inception to its finalisation.”*

He further describes their duty to *“listen to and take account of the views and wishes of the communities they represent”* and to *“fulfill their responsibilities and functions in the common interest, adhering to proper planning principles and facilitating the sustainable development of their area”*.

In making and adopting the development plan, the elected representatives, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the “Code of Conduct for Councillors” prepared under the Local Government Act 2001, carry out their duties in this regard in a transparent manner, must follow due process and must make their decisions based on relevant considerations, while ignoring that which is irrelevant within the requirements of the statutory planning framework.

The members, following consideration of the draft plan and this report, shall decide whether to adopt the draft plan, with or without amendments. This section of the report shall outline the principle issues that the elected members are required to and should consider in their decision making process.

## **2.1 EUROPEAN LEGISLATION**

European legislation is playing a larger part than ever before in the law and decision making process at both a national and local level in Ireland. Of particular importance to this County Development Plan review process are the Strategic Environmental Assessment Directive (2001/42/EC) and the Habitats Directive (92/43/EEC).

### **STRATEGIC ENVIRONMENTAL ASSESSMENT**

Directive 2001/42/EC of the European Parliament and of the Council of Ministers introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including land use planning. The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No.) 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21 July 2004.

The legislation requires certain plans and programmes which are prepared by Wicklow County Council - including the County Development Plan - to undergo SEA. The findings of the SEA are expressed in an Environmental Report which is submitted to the Elected Members alongside the County Development Plan. The Elected Members must take account of the Environmental Report before the adoption of the Plan. When the Plan is adopted a statement must be made public, summarising, inter alia: how environmental considerations have been integrated into the Plan and the reasons for choosing the Plan as adopted over other alternatives detailed in the Environmental Report.

In this regard, the likely environmental impacts of implementing the draft County Development Plan, published in October 2009, are described in the draft Environmental Report. The elected members are required to consider this Report along with the Draft Plan, (and the submission of the Minister, prescribed bodies and the public and the recommendations of the Manager), in making a decision as to whether to adopt the plan. Where elected members resolve to make amendments to the draft plan, such amendments will be put through a same environmental assessment procedure, the results of which are required to be considered by the members prior to making the final decision on the amendments.

The key implication for decision makers therefore is the necessity that the environmental implications of adopting or not adopting a certain strategy or policy / objective must be taken into consideration in decision making and this decision making process must be fully documented and open to public scrutiny.



## **APPROPRIATE ASSESSMENT**

With the introduction of the Birds Directive in 1979 and the Habitats Directive in 1992 came the obligation to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. A key protection mechanism for these sites is the requirement to consider the possible nature conservation implications of any plan or project on the Natura 2000 site network before any decision is made to allow that plan or project to proceed.

Not only is every new plan or project captured by this requirement but each plan or project, when being considered for approval at any stage, must take into consideration the possible effects it may have in combination with other plans and projects by going through the process known as 'Appropriate Assessment' (AA). The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive, and both involve a number of steps and tests that need to be applied in sequential order. Each step in the assessment process precedes and provides a basis for other steps. The results at each step must be documented and recorded carefully so there is full traceability and transparency of the decisions made. They also determine the decisions that ultimately may be made in relation to approval or refusal of a plan or project.

AA is not a prohibition on new development or activities but involves a case-by-case examination of the implications for the Natura 2000 site and its conservation objectives. In general terms, implicit in Article 6(3) is an obligation to put concern for potential effects on Natura 2000 sites **at the forefront of** every decision made in relation to plans and projects at all stages, including decisions to provide funding or other support.

The first stage of the AA procedure has already been undertaken for the draft development plan, that is, establishing whether full AA is required (this is known as 'screening'). The AA screen document was one of the documents put on display with the draft plan. This analysis concluded that full AA was not required for the draft plan.

Any amendments that may be now proposed by either the Manager in this report or by the elected members must also be screened for AA. Cognisant of his obligations with regard to the Habitats Directives, the Manager has not proposed any amendments that are likely to give rise to significant adverse impacts on any Natura 2000 site; and has in fact proposed some amendments which may give further protection from impacts to these sites. Where the members resolve to make further amendments, they must also have regard to their obligations in this regard and will be advised, through the production of a second report, of the likely significant impacts (if any) of implementing the proposed amendments. In their final decision making process, the members must have regard to the findings of this report.

If it can be concluded on the basis of AA that there will be no adverse effects on the integrity of a Natura 2000 site, the plan or project can proceed to authorisation, where the normal planning or other requirements will apply in reaching a decision to approve or refuse. If adverse effects are likely, **or in cases of doubt**, the plan (or that element thereof) may only be approved where there are imperative reasons of *overriding public interest* (IROPI) requiring a project to proceed, there are no less damaging alternative solutions, and compensatory measures have been identified that can be put in place.

The Habitats Directive requires Member States to inform the European Commission of the compensatory measures; this enables the Commission to review whether the compensatory measures are sufficient to ensure that the coherence of the network is maintained. If the Commission is not satisfied it may take steps against the Member State up to and including litigation in the European Court of Justice. Recourse to derogation to allow a plan or project to proceed should be pursued in exceptional circumstances only, and the Minister must be informed at an early stage of any possible IROPI case.

## 2.2 NATIONAL LEGISLATION & POLICY

### 2.2.1 PLANNING & DEVELOPMENT ACTS 2000-2008

The Act states as a fundamental principle, that it is enacted “to provide, in the interests of the common good, for proper planning and sustainable development” and that “a development plan shall set out the overall strategy of the proper planning and sustainable development of the area of the development plan”.

The Act is unambiguous in setting out that “in making the development plan....the members **shall be restricted to** considering the proper planning and sustainable development of the area”, “the statutory obligations of any local authority” and “any relevant policies or objectives....of the Government or any Minister of Government” (Section 12 (11)).

Section 27(1) states that “A planning authority **shall have regard to** any regional planning guidelines in force for its area when making and adopting a development plan”, while Section 28 (2) states that “The Minister may, at any time, issue guidelines to planning authorities regarding their functions under the Act and planning authorities **shall have regard to** those guidelines in the performance of their duties”.

## **2.2.2 HIGHER ORDER PLANS**

### **NATIONAL SPATIAL STRATEGY 2002-2020**

As expressed Government policy, the elected members must consider the provisions of the NSS in their decision making process.

The NSS is a planning framework “designed to achieve a better balance of social, economic, physical development and population growth between regions”. The strategy identifies seven regions in the Country, of which the Dublin and Mid East Regions comprise the Greater Dublin Area. The NSS sets out, at a broad national level, a spatial structure on the basis of which a more balanced regional development can be achieved and it identifies a complementary hierarchy of settlements.

In order to achieve balanced regional development, the NSS identifies that “Ireland needs to renew, consolidate and develop its existing cities, towns and villages – i.e. keeping them as physically compact and public transport friendly as possible and minimising urban sprawl, while also achieving a high quality of design in new development and refurbishment. Urban land needs to be used carefully, sensitively and efficiently... Where greenfield development is necessary it should take place through the logical extension of existing cities, towns and villages”.

Policies and programmes will be consistent with the NSS where they seek to enhance and build up economic and social activity within the national framework provided by the Strategy. Policies based on an unstructured, scattered approach to public investment and the promotion of economic activity would not be consistent with the NSS.

### **REGIONAL PLANNING GUIDELINES FOR THE GREATER DUBLIN AREA 2004-2016**

The Guidelines are informed by and are a subset of the NSS. The Guidelines make a distinction between the existing built up area and its environs where the built up area is the ‘Metropolitan’ and the remainder is the ‘Hinterland’ with a range of settlement sizes in the area that have a potential to attain an enhanced level of sustainability.

The RPGs recognise that the principal issues in the greater Metropolitan Area relate to pressure arising from rapid and intensive development, while an important issue in the Hinterland Area is the spillover of development pressures from the centre and the leaching of economic and social activity to the Metropolitan Area.

In accordance with the guidelines, Metropolitan Area development (Bray, Greystones/Delgany and their environs) should be consolidated in line with the principles of sustainability to accommodate a greater population than at present. This growth of the Metropolitan Area will be balanced by the concentration of development into identified Large and Moderate Growth Towns in the Hinterland. The strategy sees the development of both these areas as being complementary. To be successful and compete with the Metropolitan Area it is recognised

that the Hinterland Large Growth Towns will have to attain a status capable of providing higher order economic, social and environmental infrastructure.

Furthermore, Development Plan settlement strategy in the Hinterland should essentially be based around a clearly articulated hierarchy of settlements. This strategy seeks to promote development into a series of tiers, with the Large Growth Towns at the higher end of the strategy and other towns and villages located in tiers below. The designation of these towns and villages within the County Development Plan settlement hierarchy should be advised by their spatial distribution, their scale and their potential.

Development plan policy for the Hinterland should foster County growth within the larger settlements while the other towns and larger villages within the settlement strategy are to provide the catalyst to promote and sustain local growth and accommodate local need. The strategic aim of these complementary policies is to build upon the reality of settlement potential and to create a more sustainable and balanced spatial pattern of development throughout the County.

New Draft RPGs were published on Monday 10<sup>th</sup> January 2010.

### **2.2.3 MINISTERIAL GUIDELINES**

The Minister has issued 15 guidelines documents under Section 28 of the Planning & development Acts 2000-2008 as set out below. The Act requires planning authorities to have regard to these guidelines in the performance of their duties.

- Architectural Heritage Protection (2004)
- Architectural Heritage Protection for Places of Worship (2003)
- Childcare Facilities Guidelines (2001)
- Design Standards for New Apartments (2007)
- Development Management Guidelines (2007)
- Development Plans Guidelines (June 2007)
- Provision of Schools and the Planning System (2008)
- Quarries and Ancillary Activities (2004)
- Redevelopment of Certain Lands in the Dublin area (2006)
- Retail Planning Guidelines (2005)
- Strategic Environmental Assessment (2004)
- Sustainable Rural Housing (2005)
- Sustainable Residential Development in Urban Areas (2009)
- The Planning System and Flood Risk Management (2009)
- Wind Energy Development (2006)

### SECTION 3

### MANAGER'S RECOMMENDED CHANGES

As there are a number of changes proposed to Chapters 3, 4 and 5, the entirety of these chapters with proposed amendments highlighted are included as Appendix 1 of this report. These are to be considered Proposed Amendments 1, 2 and 3 respectively.

#### Chapter 6 Rural housing & Development

#### Amendment 4

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

**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><b>Proven Need</b> for new housing, and</p> <p>Meet <b>Local Growth</b> criteria, with the following limitation:</p> <p>Residents of <del>Level 6 &amp; 7</del> <b>Levels 1-5</b> will <b>only</b> 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>

## Amendment 5

### Section 6.3.2 Houses in the open countryside (Level 10)

#### NEW DWELLINGS

**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.

#### ECONOMIC NEED

##### *Involvement in agriculture*

The Planning Authority will positively consider applications from those who are significantly involved in agriculture. In such cases, it will be necessary for the applicant to satisfy the Planning Authority with supporting documents that the nature of the agricultural activity, by reference to the area of land and or / the intensity of the usage, is sufficient to support full time or significant part time occupation. Where the applicant has no previous experience in agriculture and/or is establishing a new or alternative agricultural enterprise, the Planning Authority shall require the applicant to establish the activity in question a minimum of three years prior to the application for permission for a dwelling, and provide evidence that the enterprise and the applicant have been successful during that period.

##### *Involvement in non-agricultural rural enterprise*

The Planning Authority will support applications from those whose full time employment is intrinsically linked to the rural area, that can demonstrate a need to live in the immediate vicinity of their employment in order to carry out their employment. The Planning Authority will strictly require any applicant to show that there is a particular aspect or characteristic of their employment that requires them to live in that rural area, as opposed to a local settlement. As above, where the applicant has no previous experience in the rural activity in question and/or is

establishing a new or alternative rural enterprise, the Planning Authority shall require the applicant to establish the activity in question for a minimum of three years prior to the application for permission for a dwelling, and provide evidence that the enterprise and the applicant have been successful during that period.

## **SOCIAL NEED**

### ***Permanent native residents and returning emigrants***

The Planning Authority recognises the need of persons local to or intrinsically linked to rural areas that are not engaged in significant agricultural or rural based occupations to live in rural areas. In this regard, persons local to or intrinsically linked to a rural area are considered to include:-

- permanent native residents of that rural area i.e. a person who was either born and reared in the family home in the same rural area as the proposed development site, or resided in that same rural area for at least 10 consecutive years prior to the application for planning permission;
- permanent native residents who have not resided in that rural area for many years due to emigration, but were born and reared in the same rural area as the proposed development site, and now wishes to return to their local area;

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 6-12 years.

### ***Inheritance of a rural holding***

Persons who are not native to an area but have inherited / been gifted a rural holding from a close relative (father, mother, grandfather, grandmother or uncle/aunt with no children of their own) may be considered for rural housing where

- the land has been in family ownership since before October 1994
- the proposed dwelling and the holding are to be held as a single property and not subdivided;
- the applicant can show a social or economic need to live in the rural area in question.

## REPLACING OR RENOVATING AN EXISTING RURAL STRUCTURE

### REPLACEMENT DWELLINGS

**RH15** Applications for a new rural dwelling will be positively considered where the new dwelling is replacing an existing rural dwelling that has become obsolete or is not suited to modern accommodation needs. It will be necessary for the applicant to demonstrate that the structure being replaced is in fact a 'dwelling' ~~and its residential use has not been abandoned.~~ Where such permission is granted, there will be no requirement for any restrictive occupation clause under Section 47.

It will be a normal requirement of any such grant of permission that the existing dwelling be demolished upon completion of the new house. Where the existing dwelling is not proposed for demolition, the applicant shall include proposals for the existing house, including permission for any change of use. Any alternative use proposed e.g. tourism, storage etc must be consistent with the policies for that use set out elsewhere in this Plan. It will be a requirement of any grant of permission that the existing and new houses be held in single ownership.

### RENOVATION AND / OR EXTENSION OF AN EXISTING RURAL STRUCTURE

**RH16** Applications for the renovation and / or extension of an existing rural dwelling will be positively considered, subject to appropriate scale and high quality design (as set out in Section 6.4.3) and compliance with all normal planning criteria. Where such permission is granted, there will be no requirement for any restrictive occupation clause under Section 47.

Permission may in certain circumstances be considered for the conversion of non-residential rural structures to residential use and/or the renovation and extension of abandoned rural dwellings, where the building is of architectural, local, visual or historical interest to justify retention and conservation. Compliance with the following criteria shall be necessary:

- the original walls and roof must be substantially intact; buildings of a ruinous nature will not be considered;
- buildings must be physically capable of undergoing conversion and their original appearance must be substantially retained. A structural survey to this effect by a suitably qualified professional must be submitted as part of a planning application;
- works must be executed in a sensitive manner and retain architecturally important features whenever possible and make use of existing buildings and traditional and complementary building materials, techniques and specifications.
- where such 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.

## AMENDMENT 6

### Section 6.4.3 Heading 'House position & siting'

"On sloping sites, houses will normally be required to be built into the slope of the site, ~~so that the finished floor level of the house is not more than 0.15m above the existing ground level to the front of the house.~~ However, deep excavations should also be avoided as these in themselves can cause a scar on the landscape. Where steeply sloping sites cannot be avoided, design solutions must be considered to minimise the impact, including for example the use of stepped or split level housing"

## Amendment 7

### Section 6.4.3 Heading 'Dwelling format & shape'

"The key requirement for rural houses is that they be absorbed by the landscape. Dwellings should thus blend in and not dominate the local landscape, or stick out by reason of scale, form, or detail. Dwellings should be simple in format and shape and an excessive number of block shapes and heights, roof pitches and shapes, add-ons, wings, protruding windows (such as bay windows), porches, conservatories etc should be avoided. The main body of the house should be the dominant element and be clearly distinguishable, and if necessary, one or a number of smaller, suitably designed projections attached to the main house may be provided to break up the overall mass of the structure.

~~'Deep plan' houses (i.e. houses that are two rooms 'deep' with a central dividing corridor) should be avoided, as this format overly constrains the options for the format, design, roof style and glazing layout of the house and also results in poor use of natural lighting.~~

While symmetry is not required, houses should be well 'balanced'. This will mean that any projections to the main body of the house will require to be sensitively designed and located and not cause the house to look 'lop-sided'.

~~Generally, the following characteristics should be integrated into a new dwelling~~

- ~~—low eaves~~
- ~~—narrow plan~~
- ~~—35-55 degree roof pitch~~
- ~~—vertical emphasis to gables~~
- ~~—sturdy and solid~~
- ~~—flat fronted"~~

## Amendment 8

### Section 6.4.3 Heading 'Walls & boundaries'

"The design of walls and boundaries, particularly those along public road frontages, shall be suitable to the rural location. In the first instance, existing hedges and trees lining boundaries should be maintained. However, where they require to be removed for sightline or other reasons, they shall be replaced by a similar hedge of native species interspersed with suitable native trees. Long stretches of solid walls or railings will not be permitted, notwithstanding their perceived design quality. Sod-and-stone banks, **timber railings** and dense hedges behind roadside drainage ditches are the prevalent traditional roadside boundary in County Wicklow - it will be a normal requirement of permission that such boundaries be provided or reinstated.

Existing side or rear boundaries, particularly mature field boundaries, should be maintained. Where new boundaries are required, they should not comprise solid walls or long straight, dense lines of evergreen trees. Instead clusters of trees at strategic locations around the site, which will appear more natural in time, will be preferred."

## Amendment 9

### Section 6.4.3 Heading 'Extensions to existing rural houses'

If the existing house is served by an on-site wastewater disposal system it will be necessary to show that this system is adequate to accept any additional wastewater generated by the proposed extension (in addition to any previous extensions that may have been constructed after the installation of the original effluent disposal system). Generally, if the extension **will increase the number of bedrooms by more than 50%** ~~has 2 or more bedrooms~~ and / or entails an increase in the size of the house by ~~30%~~ **33%** or more, the Planning Authority is likely to require the applicant to submit full details of the existing system. If it is clear that the existing system will not meet the needs of the enlarged house, it will be necessary to submit detailed proposals to upgrade the system, in accordance with current EPA standards.

## Chapter 7 Enterprise & Employment

### Amendment 10

#### Section 7.4.3

##### EMP 21 Wicklow County Campus, Clermont House

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.

## Chapter 8 The Rural Economy

### Amendment 11

#### Section 8.3.2 'Agriculture'

**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.

### Amendment 12

#### Section 8.3.2 'Forestry'

**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** ~~Goillte~~ and the Forest Service.

**FTY2** To promote afforestation in co-operation with relevant agencies, including the Forest Service (Department of Agriculture, Fisheries and Food) and **forestry operators** ~~Goillte~~, and to ensure that afforestation is undertaken in a manner that is consistent with the principle of 'sustainable forest management'.

## Amendment 13

### Section 8.3.3 Extractive Industry

**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

## Chapter 9 Tourism

## Amendment 14

### Section 9.3.2 Accommodation

**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

- 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.

## **Amendment 15**

### **Section 9.3.6 Tourism & Recreation Themes & Products**

- 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.

## Chapter 10    Retail

### Amendment 16

#### Section 10.3    Retail Strategy for County Wicklow

In accordance with the Retail Planning Guidelines, the retail strategy for Wicklow will include the following:-

- Confirmation of the retail hierarchy, the role of centres and the size of the main town centres;
- Definition in the development plan of the boundaries of the core shopping area of town centres **in Levels 1-3 of the hierarchy**;
- A broad assessment of the requirement for additional retail floorspace;
- Strategic guidance on the location and scale of retail development;
- Preparation of policies and action initiatives to encourage the improvement of town centres;
- Identification of criteria for the assessment of retail developments.

Given the considerable research and analysis carried out for the GDA Regional Retail Strategy and the intention that the retail strategy for County Wicklow will be consistent with the Regional Retail Strategy, new local research has not been undertaken into existing retail floorspace, shopping patterns, expenditure estimates, turnover ratios etc. Instead quantitative analysis will generally be based on the findings of the research carried out for the Regional Retail Strategy. **The County Strategy is also generally consistent with the hierarchy adopted in the Regional Strategy. However, as that hierarchy was selected to be generally applicable across the entire Greater Dublin Area, it does not precisely cover all circumstances that arise in County Wicklow. This is particularly so in the sub core centres within Bray, Greystones, and Wicklow, and the County Strategy will include adjustments and flexibility to cater for these characteristics.**

### 10.3.1 Retail hierarchy & the role of centres

#### Retail hierarchy

The retail hierarchy for County Wicklow is set out in Table 10.2. This hierarchy is drawn from both the GDA Retail Strategy and the County settlement strategy.

**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	<b>Tier 1 Towns serving a wide district</b> Arklow, Blessington, Baltinglass <b>Tier 2 Towns serving the immediate district</b> Newtownmountkennedy, Rathdrum
LEVEL 4	NEIGHBOURHOOD CENTRES	LOCAL CENTRES – SMALL TOWNS
	<b>Bray Area</b> Boghall Road / Ballywaltrim, Vevay, Dargle Rd, Dublin Road / Little Bray, Albert Road & Walk, Fassaroe, <b>Southern Cross Road</b> <b>Greystones Area</b> 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, Ballinaclash, Coolboy, Glenealy, Hollywood, Johnstown / Thomastown, Kilpedder / Willowgrove, Kiltegan, Knockananna, Laragh – Glendalough, Manor Kilbride, Redcross, Stratford

## The role of centres

Table 10.3 below outlines the retail formats expected in each level of the hierarchy, which gives guidance on the scale and levels of retail provision within each level.

**Table 10.3 Retail formats in hierarchy levels**

	HIGHER ORDER COMPARISON	MIDDLE ORDER COMPARISON	LOWER ORDER COMPARISON	SUPER- STORE	SUPER- MARKET
<b>METROPOLITAN CENTRE</b>	√	√	√	√	√
<b>MAJOR TOWN CENTRES &amp; COUNTY TOWN CENTRES</b>	√	√	√	√	√
<b>TOWN &amp; SUB COUNTY TOWN CENTRES</b>		√	√	√	√
<b>LOCAL CENTRES – SMALL TOWNS &amp; VILLAGES</b>			√		√

### Level 2 Major & County Town Centres

These centres will have a full range of all types of retail services from newsagents to specialist shops and boutiques, department stores, foodstores of all types, shopping centres and high level of mixed uses including the arts and culture to create a vibrant, living place. Such centres should be well connected and served by high quality public transport, particularly with the metropolitan area. For well-established centres with population catchments in excess of 60,000 people it would be expected that the volume of lettable retail floorspace would exceed 40,000sqm.

### Level 3 Town / District and Sub County Town Centres

These centres will vary both in the scale of provision and the size of catchment, due to proximity to a Major Town / County Town centre. Generally where the centre has a large catchment (e.g. market town in a rural area) and is not close to a larger centre, there will be a good range of comparison shopping though no large department stores or centres, with a mix of retail types benefiting from lower rents away from larger urban sites, leisure & cultural facilities and a range of cafes and restaurants. At least one supermarket and smaller scale department store are required to meet local needs. It would be expected that financial and other services (banks and building societies) would be located alongside other retail services creating an active and busy centre. They should have high quality access from public transport where the centres are within the built up area; and also strong links to the built fabric so that walking and cycling to the centre from the immediate catchment is an attractive



option. Where the centre is close to an existing major centre (as is the case with Greystones), the scale of retail and mixed provision is lower, with the town / centre range of shops meeting more basic day to day needs and only small scale range of comparison units trading. Such towns / centres would generally range in size from 10-25,000sqm of lettable retail space catering for a population of 10,000- 40,000.

This level is broken into two tiers for the purpose of this strategy, as the five towns in this level are not uniform in their size or function, but yet all are appropriately located in Level 3. Arklow, Blessington and Baltinglass, while being very different in size, are all similar in the sense that they serve a wide catchment and are sufficiently distant from major or county town so as to make them the principle shopping destination in their areas. **Arklow in particular has traditionally served as a market town for a wide area, and this traditional status has been reinforced by the development of the Bridgewater centre.** These towns are somewhat different from Rathdrum and Newtownmountkennedy, which are both within reasonable distance of the County town and which serve more localised catchments, but due to their planned growth, require a high level of retail provision.

#### **Level 4          Neighbourhood Centres & Small Towns**

While the GDA Retail Strategy generally considers that these centres will normally provide for one supermarket or discount foodstore ranging in size from 1,000-2,500 sqm with a limited range of supporting shops (one or two low range clothes shops with grocery, chemist etc.) and retail services (hairdressers, dry cleaners, DVD rental) cafes and possibly other services such as post offices or community facilities or health clinics, it is considered necessary to make a distinction in Wicklow between the type and quantum of retail envisaged in neighbourhood centres in the larger settlements and that envisaged for small towns.

Neighbourhood centres (i.e. locations providing retail and other community services outside of the core town centre area) generally only occur in the larger settlements of the County (Bray, Wicklow, Arklow and Greystones). Such centres would usually include a medium sized convenience shopping outlet (~~up to~~ **generally 500sqm**) and a number of smaller comparison and non-retail services premises. **However, a simple floor area rule cannot be simply applied. Firstly, what are designated as Neighbourhood Centres in Greystones and Bray include established full scale supermarkets at Bellevue Road and Vevay Road respectively. In addition there are smaller supermarkets at Blacklion and Charlesland in the 800m<sup>2</sup> to 1,200m<sup>2</sup> range. The Bray Town Development Plan has designated land for a 2,500m<sup>2</sup> supermarket at the Southern Cross Route in its last two plans, and planning permission has been granted for this as well as a discount store at this site. So while such sites seem larger than neighbourhood centres, they do not fit into the definition of District Centres (the next category in the hierarchy) which are defined in the Retail Planning Guidelines as 10,000m<sup>2</sup> or 20,000m<sup>2</sup> in the Dublin Metropolitan Area. So in a limited number of sub town core sites in Bray, Greystones, and Wicklow/Rathnew (particularly in Rathnew), larger foodstores will be permitted, based on there historic use, and the need to service considerable tranches of new**

housing e.g. ~~Vevay in Bray and Charlesland in Greystones~~. The scale of the convenience outlet will be dictated by the overall size of the town, the catchment of the neighbourhood centre and its distance to the town core.

In contrast, the retail provision in small towns would be expected to be more extensive, including one supermarket / two medium sized convenience stores (up to 1,000sqm aggregate) and perhaps 10-20 smaller shops and would not generally be considered suitable for discount foodstores.

#### **Level 5 Corner Shops/Small Villages**

These shops meet the basic day to day needs of surrounding residents, whether as rural foci points close to other community facilities such as the local primary schools, post office and GAA club or as a terrace of shops within a suburb. Such centres will normally serve only an immediate catchment. Expected are one or two small convenience stores, newsagents, and potentially other tertiary services such as butcher/vegetable shops with a public house, hairdressers and other similar basic retail services; with the retail element in total ranging approximately from 500 - 1,500sqm of lettable space.

### **AMENDMENT 17**

#### **Section 10.3.4 Allocation**

Convenience allocation - Convenience floorspace by its nature should be provided locally to meet the needs of communities. Provision of new convenience in a Council area may in particular circumstances exceed the figures projected by the GDA Strategy to reflect the needs of localised larger developments and/or qualitative revitalisation (incorporating the suitable and adequate provision of public facilities); whereas in other areas of population decline, such growth is often counterbalanced by either redevelopment of older declining centres to other uses or through reduced trading levels and changes of uses of units from retail to other services. Therefore, in the interests of proper sustainable planning, *due regard* shall be given to the estimates of need for convenience for each County; while the provision of new convenience shopping shall also be promoted and encouraged in areas of significant population growth, should that occur, or where there is a locally identified gap in provision and competition. Applications should detail, if justifiable, that their scheme(s) will meet local demand without damaging existing traders, and how it will promote more sustainable travel modes and shorter distances of travel.

Comparison allocation - In relation to comparison goods, reflecting the population growth expected and forecast for the GDA there is a material need for additional retail floorspace to be developed within both the Dublin and Mid East Regions. Provision of all future comparison retail floorspace should take place in accordance with the policy recommendations contained

in the GDA Strategy so that new retail will support both the principles of sustainability and the settlement strategy of the Regional Planning Guidelines, as incorporated into the City, Town and County Developments Plans of the GDA. The figures presented are represented as a range - dependent on the volume (if any) of retail warehousing built during the period of the Strategy. Based on current predictions showing reduced demand for new retail warehouses over the coming years, it is expected that the actual figure will be within the higher end of the range shown.

In this context, the County Wicklow Retail Strategy allocates the calculated floorspace need from the GDA Strategy only to settlements in Levels 2 and 3 as levels below this are considered to only meet local shopping needs, the demand for which will be determined at a local level. Allocation is derived from both the data provided in the GDA Strategy and the County growth objectives for the various settlements, as set out in the County settlement strategy. In order to ensure that indicative floorspace need is not overly prescriptive, Table 10.4 below sets out a range of floorspace need for Levels 2 and 3. It is not expected that retail provision in all settlements will reach the upper end of the range and in fact, such a scenario would result in significant overprovision in the County. However, due to infrastructural constraints some settlements may not reach even the lower end of the range, and therefore it is considered appropriate to allow for the possibility of significant additional retail in the larger towns to make up for shortfall elsewhere.

Overall, the key planning objective of the Wicklow Strategy is to provide for adequate levels of new retail floorspace, without compromising the established retail core to the extent that such areas become blighted and degraded, devaluing not only the properties in these areas, but also the whole Main Street community function, and leaving the public purse to underwrite future regeneration. While this is the foremost aim, planning policy cannot be allowed to stifle innovation and competition. It is acknowledged that most innovation and competition is driven from the convenience sector. The consequences of blight in convenience properties are not as intractable as in comparison, as such sites are often outside the central core, and are generally large enough in their own right to be able to be redeveloped for other uses. Accordingly, the allocation figures for convenience floorspace will be interpreted in a manner to allow for adequate competition and innovation.

## AMENDMENT 18

### Section 10.3.4 part (c) Greystones

#### Greystones

This strategy allocates Greystones 7,000-10,000sqm growth on comparison floor space and 2,000-2,500sqm of convenience floorspace. Since the survey date, approximately 3,000sqm of new retail space has been constructed or is awaiting commencement / under construction. It is estimated that c. 1,000sqm of this floorspace may be devoted to convenience use and the remainder to comparison usage. Therefore there is only a need for a further c. 1,500sqm convenience floorspace and 8,000sqm comparison floorspace up to 2016.

While there is a site zoned in Charlesland for a district retail centre of up to 20,000sqm (net) retail floorspace and 16,000sqm (net) retail warehousing, an application for development of this scale in 2007 was rejected by An Bord Pleanála on the grounds of

- a) the out of centre location, distant from the core retail area
- b) the potential adverse impact on the vitality and viability of the existing town centre,
- c) the scale of the retail floor space would be excessive to the designation of Greystones as Level 3 town centre, to serve mainly local needs and would conflict with Retail Hierarchy for the Greater Dublin Area as set out in the Retail Strategy for the Greater Dublin Area 2008-2016
- d) the scale of the development would undermine the retail hierarchy and the designated role of Bray and Wicklow as Level 2 town centres.

In light of the above, the strategy for Greystones is:

1. To promote and encourage enhancement of retail floorspace and town centre activities in Greystones to enhance its role and importance as a Level 3 Town Centre in the GDA in accordance with the allocation set out in this strategy;
2. To direct larger scale new retail development into the identified core area and failing suitable sites being available, to edge of centre sites and identified village centres.
3. While there are 8 sites designated in the Greystones/Delgany Local Area Plan as 'village centres', it is not envisaged that all of these will be developed as a neighbourhood or local retail centre having regard to the potential market and their location vis-à-vis the established town centre and other retail sites. Whilst allowing for competition and innovation in the provision of convenience floor space as outlined in 10.3.4 above, assessment of retail proposals will be made on a case-by-case basis, following retail impact assessment.

## AMENDMENT 19

### Section 10.4.5 Neighbourhood centres

**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.

## AMENDMENT 20

### 10.5.5 The qualitative aspects of the proposal, ~~including scale~~

~~Chapter 5 of this plan sets out the requirements of the Council with regard to urban form, building scale, height and other qualitative parameters.~~

#### **Town / village centre sites**

New / expanding retail developments in town / village centres should have regard to the design standards set out in Chapter 5 of this plan.

#### **Edge of centre / out of centre sites**

Such sites by their nature often cannot draw design reference from their immediate surroundings, with the environs often comprising undeveloped land or lower density 'edge of centre' type housing developments. The key issue here is the provision of a new development that produces a high quality environment that fits with its surroundings, and does not detract from the established residential and visual amenities of the area. The following criteria will be required to be addressed in any such development:

- notwithstanding the scale of development warranted with regard to any retail assessment carried out, the size of such development should reflect its surroundings and not appear monolithic or excessively bulky vis-à-vis the surroundings. In this regard, height, footprint and overall mass / bulk must be carefully considered;
- The impact of the building on its surroundings must be carefully considered, in particular possible overlooking and overshadowing of adjacent residences, excessive dominance in the (urban) landscape or other negative impacts on residential or visual amenity;
- The provision of a new retail structure at an 'edge of centre' or 'out of centre' location will result in the introduction of a new architectural form in the area and the design should be of the highest quality in recognition of this. Design should be innovative, interesting and should be informed by the place and time. Formulaic or 'pattern book' designs should be avoided and each development should be unique to its surroundings;
- The designs and building format should aim to incorporate as many 'active' facades as possible and blank facades should not be visible to public areas. Materials and finishes utilised should be appropriate to the location and buildings with an excessively industrial appearance i.e. metal / industrial panel finishes, lacking in fenestration etc will not normally be accepted;
- Sustainable or 'green' design principles should be employed that allow for a reduction in energy / water usage and waste in the development;
- Delivery / storage areas should not be located directly adjoining residential areas, due to potential impacts from lighting and noise. However, such areas should be located out of public view through appropriate positioning or acceptable screening treatment;
- The treatment of boundaries should address the surroundings and security / industrial type boundaries will generally not be accepted;
- Entrances (vehicular and pedestrian) should be attractive as well as functional and should provide for a high degree of permeability from the surrounding area;
- Signage should be appropriate to the location and scale of the development and overly large, excessively illuminated or inappropriately located signage will not be considered

## **AMENDMENT 21**

### **Section 10.6 Retail and shopfront design standards**

Add new Section 10.6.9

#### **10.6.9 Vacant retail units**

Vacant properties have a very negative impact on our town centres - visitors and shoppers can be discouraged from return visits, the look and feel of the town centre is one of decline, the retail offer is weakened and investment stagnates. In this regard, it will be condition of the grant of permission for any new or extended / refurbished units that at all times that the retail unit is not in active use, the street front display area will be required to be provided with an attractive temporary display or professionally designed artwork affixed to the glass frontage. The temporary use of the retail space during such times for creative, cultural or community purposes will be encouraged; however, such change of use may require planning permission, and advice will be provided by the Council on a case by case basis in this regard.

## Chapter 11 Roads & Transportation

### Amendment 22

#### Section 11.1 Introduction

It is therefore the strategy of this plan to

- 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 public transport links within towns (such as feeder buses to train stations) and between towns;
- 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 facilities for pedestrians and access for people with special mobility needs

### Amendment 23

#### Section 11.2 Public transport

**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.

#### **Amendment 24**

Change all references to the 'DTO' to the "NTA"

#### **Amendment 25**

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

#### **Amendment 26**

##### **Section 11.4 Public roads**

**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).

#### **Amendment 27**

##### **Section 11.4.1 National Roads**

##### **Add new 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.

## Amendment 28

### Section 11.5 Parking

Parking policy is an important element in an authority's overall planning and transport policy. The level of car parking provided, its location, fee structure and enforcement levels can all have a considerable effect on car use and traffic flow patterns. The availability of convenient and affordable parking in an area can influence people's decision on their mode of travel and has the potential to be a powerful travel demand management tool. An off-street parking policy should recognise the role that the provision or otherwise of additional parking spaces can play in encouraging or discouraging travel by car. If demand management policies are being implemented then a reduction in the number of parking spaces may be desirable in congested urban areas with parking enforcement. Planning policy may seek to limit the number of parking spaces provided for new developments.

#### Parking objectives

**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.

## Amendment 29

### Section 11.6 Ports, harbours, marinas and aviation

The future development of the County's ports places increased demands on the existing transport network, in particular the road network, with the potential for large freight transport. The potential for the future expansion of Wicklow port is to be facilitated through the Wicklow Port Access Road. The potential for the development of a new port at Arklow Rock is also recognised with connections to the N11 and possibly the Dublin Outer Orbital Route increasing the potential for the development of this area. A road line will be reserved to facilitate the development of this proposed port.

The existing / future marinas at Bray, Greystones, Wicklow and Arklow also give rise to traffic demands on the County's roads, which is considered desirable to accommodate given the significant economic, tourism and recreational benefits accruing to the County from such developments.

Wicklow currently has a number of small aerodrome and air strips, whose function is principally recreation rather than transport. However, it is considered that there may be possibilities for the development of this sector, given the proximity of the County to the major population base of Dublin and the availability of coastal areas, which may be suitable for landing strips.

#### Ports, Harbours & Marinas Objectives

**PHM1** To promote and facilitate through appropriate transport planning and land-use zoning the expansion of port activities at Wicklow and Arklow. In particular, to provide for Port Access Roads at both locations.

**PHM2** To promote and facilitate through appropriate transport planning and land-use zoning the expansion or development of recreational facilities and marinas at Bray, Greystones, Wicklow and Arklow harbours.

**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.

## Amendment 30

### Section 11.7.2 Public Roads

#### National Road Development Control Objectives

- i. Any works carried out on national roads shall comply with NRA 'Design Manual for Roads & Bridges', as may be amended and revised.
- ii. No development shall be permitted that would involve direct access to or from a motorway, in accordance with Section 46 of the Roads Act (1993).
- iii. A new means of access onto a national road will generally not be permitted, but may be considered if one of the following circumstances applies:
  - the national road passes through a designated settlement and a speed limit of less than 50km/h applies;
  - where the new access is intended to replace an existing deficient one.<sup>1</sup>
  - where exceptional circumstances apply, as described in Section 3.2.6 of the NRA 'Policy Statement on Development Management and Access to National Roads' (NRA May 2006)
- ~~iv. Permission for new rural houses with direct access onto a national road shall not be considered except where:
  - ~~—the applicant can show that it is essential to their livelihood to live at that location;~~
  - ~~—the site is on family owned land and does not comprise a single site purchased for the purpose of house building;~~
  - ~~—it is demonstrated that no other means of access is available to the land holding (this applies to the entire family holding, not just the house site in question);~~
  - ~~—in the first instance, any existing entrance onto the national road is utilised and brought up to the required standard, and where that is not possible, it may be replaced by a new entrance meeting a higher safety standard;~~
  - ~~—the existing or new entrance complies with the NRA traffic safety requirements as set out in the NRA 'Design Manual for Roads & Bridges'.~~~~
- v. Permission will generally not be considered for new development adjoining the national road even where no vehicular access is created because hazardous situations often still arise due to unregulated parking and the opening of pedestrian routes.

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<sup>1</sup> This does not imply that permission will be granted for additional vehicular movements onto the national road on the basis that the existing access is being improved.

## Amendment 31

### Section 11.7.3 Parking

**Table 11.2 Car Parking Standards**

Use Class	Parking spaces to be provided
Auditorium, Theatre, Cinema, Stadium	0.33 per seat
Church	0.33 per seat
Nursing Homes	0.5 per bed
Third Level Colleges	0.5 per student
Hotel (excluding function room)	1 per bedroom
School (primary)	1.2 per classroom
School (secondary)	2.0 per classroom
Hospital	1.5 per bed
Clinics & Group Medical Practices	2 per consultant
Dwelling	1-2 per unit
Warehousing	1 per 100 m <sup>2</sup> gross floor area
Retail Warehousing & Factory / Outlet / Garden Centres	62 per 100 m <sup>2</sup> gross floor area
Library	3 per 100 m <sup>2</sup> gross floor area
Manufacturing	3 per 100 m <sup>2</sup> gross floor area
Offices (ground floor)	5 per 100 m <sup>2</sup> gross floor area
Offices (above ground floor)	4 per 100 m <sup>2</sup> gross floor area
Bank or Financial Institution	7 per 100 m <sup>2</sup> gross floor area
Restaurant dining room	10 per 100 m <sup>2</sup> gross floor area
Ballroom, Private dance Clubs	15 per 100 m <sup>2</sup> gross floor area
Bar, Lounges, Function Rooms	20 10 per 100 m <sup>2</sup> gross floor area
Childcare facilities	0.5 spaces per staff member + 1 car parking space per 10 children
Allotments	1 space per plot in areas located outside towns or villages (within towns or villages a relaxation of this standard shall apply on a case by case basis).
Out of town / regional shopping centres	6 per 100sqm floor area
Other retail (town / village, district / neighbourhood centre, large / discount foodstore)	4 per 100sqm floor area

**Table 11.3 Bicycle Parking Standards**

Type of Development	Cycle Parking Standard
<del>Apartment</del> Residential units	1 space per bedroom + 1 visitor space per 2 units
Shops	1 space for every <del>200 m<sup>2</sup> of gross floor space</del> car space
Supermarkets / large stores	<del>1 space for every 200 m<sup>2</sup> of gross floor space</del> 10% of total car spaces subject to a minimum provision of 50 spaces
Offices	<del>1 space for every 500 m<sup>2</sup> of gross floor space</del> 10% of employee numbers subject to minimum of 10 bicycle places or one bike space for every car space, whichever is the greatest.
Industry / warehousing	<del>1 space for every 500 m<sup>2</sup> of gross floor space</del> 20% of employee numbers
<del>Warehousing</del>	<del>1 space for every 1000 m<sup>2</sup> of gross floor space</del>
Theatre, cinema, church, stadium	1 space for every 100 seats
Hotels, guest houses	1 space per 50 bedrooms
Lounge bars	1 space for every <del>200 m<sup>2</sup> of public floor space</del> car space
Restaurants	1 space for every <del>200 m<sup>2</sup> of public floor space</del> car space
Function-room, dance halls, clubs	1 space for every <del>200 m<sup>2</sup> of public floor space</del> car space
Playing fields	<del>4 spaces per pitch</del> 1 space for every 3 players
Schools	<del>1 space per 50 pupils</del> 10% of pupil registration numbers/minimum of 10 spaces
Nursing homes	<del>1 space per 20 members of staff</del> 20% of employee numbers
Multi-Storey Car Parks	10% of total car spaces/minimum provision of 50 spaces
Public Transport pick up points/interchanges	2.5% of number of daily borders at that point/station, minimum of 10 bicycle spaces

## Chapter 12 Water Infrastructure

### Amendment 32

#### Section 12.4 'Waste Water'

**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

### Amendment 33

#### Section 12.4 'Waste Water'

**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

## Amendment 34

### Section 12.7.2 Water demand

- Water conservation measures shall be integrated into all new developments, through the provision of “dual flush” toilets ~~shall be required in all new developments~~, in accordance with Part G of the Building Regulations (as amended 2008) and water re-use / recycling measures, in particular on commercial / industrial sites with high water usage.

## Chapter 13 Waste & Environmental Emissions

### Amendment 35

#### Section 13.7 Light Pollution

While the use of artificial light has done much to safeguard and enhance our night-time environment, if it is not properly controlled, obtrusive light (commonly referred to as light pollution) can present physiological, ecological and safety problems. Outdoor lighting, when misdirected towards public roads (light glare), can be a hazard to drivers. Light pollution, whether it keeps you awake through a bedroom window (light trespass) or impedes your view of the night sky (sky glow), is a form of pollution and could be substantially reduced without detriment to the lighting task.

### Amendment 36

#### Section 13.8 'Development Standards'

##### 13.8.1 Construction and demolition management

All construction sites shall be appropriately managed to ensure that environmental emissions are strictly controlled. This will be enforced by requiring (by planning condition) the agreement and implementation a 'construction and demolition management plan', which will set out detailed measures to manage waste arising from the construction activity. In drawing up such plans, developers should have regard to DoEHLG guidance publication 'Best Practice Guidelines on the preparation of Waste Management Plans for Construction and Demolition projects' (2006) as may be amended and revised. In particular, such plans will set out:-



- construction programme for the works
- hours of operation
- a traffic management plan
- noise and dust mitigation measures (including details of a truck wheel wash at the site entrance
- details of construction lighting

A Construction Manager will be required to be appointed to liaise directly with the various sections of the Council.

### **Amendment 37**

#### **Section 13.8.4 'Construction & Demolition Waste facilities'**

Applications for the development of commercial waste disposal **or recycling** facilities catering for the disposal **or reuse** of inert clean soils, clays, sands, gravels and stones shall only be permitted at appropriate locations and shall be subject to the following:

### **Amendment 38**

#### **Section 13.8.7 'Light'**

- Applications for permission which include the provision of new street lighting or significant on site / on building lighting shall be accompanied by a certificate from a suitably qualified professional in the field confirming that all lighting has been so positioned and designed to eliminate or mitigate impacts on adjoining properties, particularly residences (**light trespass**) **or on the night sky (sky glow)**. Regard shall be taken of Guidance *Notes for the Reduction of Light Pollution* (Institute of Lighting Engineers, 2000).
- All external lighting attached to buildings shall be cowled and directed away from the public roads and adjacent dwellings.
- **To preserve the character of the night time landscape, roads in rural areas should use the minimum amount of lighting necessary, restricted to critical intersections. Passive measures, such as cat's eyes and reflectorised markings, should be preferred as night time safety guides.**

## **Amendment 39**

### **Add new Section 13.8.8 'Contaminated land'**

Applications for the development of sites where soil or groundwater contamination is evident or is known to have occurred, or sites where a previous or current activity is at high risk of causing contamination, shall be accompanied by such documentation and investigations as appropriate to identify the nature and extent of the contamination and necessary measures required to contain and redress previous contamination and to prevent new contamination.

## Chapter 14 Energy & Telecommunications

### Amendment 40

#### Section 14.3.2 "Electricity" & 14.3.3 "Heating"

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.

### Amendment 41

#### WIND ENERGY STRATEGY (Volume 2 Wind Energy Strategy)

Amend map as shown attached

## Chapter 15 Social & Community Infrastructure, including Open Space

### Amendment 42

#### Section 15.3.1 Education & Development

**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.

### Amendment 43

#### Section 15.3.3.4 Sports Facilities

Add new objective

**SR6** Existing sports and recreational facilities will be actively discouraged from relocating to spaces outside urban areas, or into areas that are not conveniently accessible by their potential users.

## **Amendment 44**

### **Section 15.4 Open Space**

Add new 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.

## **Amendment 45**

### **Section 15.5 'Development Standards'**

Insert the following sentence

The standards set out in this section relate particularly to new developments; however, proposals for the redevelopment / enhancement of existing community / social facilities and open spaces, shall be assessed against the same criteria

## Chapter 16 Built Heritage

### Amendment 46

#### RECORD OF PROTECTED STRUCTURES - Schedule 16.3A

46 (a) Amend description on record "RPS ADD2" Nuns Cross Bridge, Ashford

*"Free standing, narrow single arch bridge over the river Vartry c. early 1700 with original arch intact"*

46 (b) Add "Stylebawn House" to the protected structure register with the following description:

*Unusual T-plan house of 1773 with large early to mid 19th-century extensions and later 19th-century details. The building has an intangible Arts & Crafts feel, an impression enhanced by its well wooded undulating grounds. This designation includes the entire curtilage of the house including the walls and entrance ways, outbuildings and gardens.*



46 (c) Remove the following buildings from the proposed additions to the record of protected structures:

ADD5 – Thatched cottage, Delgany

ADD6 – Foresters' hall, Aughrim

PA01 – Oldcourt Lower, Talbotstown

PA60 – Muckduff Lower

PA132 - Trooperstown

## Chapter 17 Natural Heritage

### Amendment 47

#### Section 17.1 Introduction

The 'natural environment' encompasses all living and non-living things occurring naturally and are not primarily or solely of human creation, in contrast to the 'built environment'. However, it is ~~virtually~~ impossible to separate the natural environment from human beings as most natural environments have been directly or indirectly influenced by humans at some period in time. Therefore some level of human influence is thus allowable, without the status of any particular landscape ceasing to be "natural".

Wicklow supports a good diversity of natural and semi natural habitats such as marine, coastal, wetland, woodland, lake, river and upland environments that in turn support a wide range of wild plant and animal species. This biodiversity provides intrinsic economic and social benefits for the County and contributes greatly to quality of life, recreational, amenity and tourism value. The conservation and management of the natural environment must be viewed as ~~an important~~ a central element in the long-term economic ~~growth~~ and social development of the County. The Council has an important role to play when it comes to promoting a reasonable balance between conservation measures and development needs, in order to avoid negative impacts upon the natural environment, mitigate the effects of harm where it cannot be avoided, and to promote the appropriate enhancement of the natural environment as an integral part of any development. The County Wicklow Heritage Plan provides one framework through which the Council works actively with other partner organisations on initiatives to further our understanding, protection and appreciation of Wicklow's natural heritage resource.

This chapter will also address landscape issues not specifically related to nature conservation, such as landscape characterisation and identification of views and prospects worthy of protection. The recreational use of the natural environment will also be addressed.

### Amendment 48

#### 17.2.3 Water Framework Directive 2000 & Groundwater Directive 2006

The EU Water Framework Directive (WFD) is an important piece of EU environmental legislation which aims at improving our aquatic environment. It requires governments to take a new holistic approach to managing their waters. It applies to rivers, lakes, groundwater, estuaries and coastal waters. The Groundwater Directive complements the WFD

by establishing environmental objectives for groundwater chemical status and ensuring continuity with previous Groundwater Directives. These directives aims to achieve good ecological status in all waters by 2015, protect high ecological status in our pristine waters and must ensure that status does not deteriorate in any waters. Local Authorities are charged with implementing the Water Framework and Groundwater Directive objectives.

For the purpose of implementing the WFD, Ireland has been divided into eight river basin districts or areas of land that are drained by a large river or number of rivers and the adjacent estuarine / coastal areas. The management of water resources will be on these river basin districts. The Plan area is located in both the Eastern River Basin District (ERBD) and South Eastern River Basin District (SERBD). Within each River Basin District - for the purpose of assessment, reporting and management - water has been divided into groundwater, rivers, lakes, estuarine waters and coastal waters which are in turn divided into specific, clearly defined water bodies. River Basin Management Plans list the current status of our waters and detail the measures required to bring those failing back to good status and maintain the high status of our pristine sites.

Twenty-seven Draft Management Plans for the Freshwater Pearl Mussel have also been prepared, the objective of which is to restore the freshwater pearl mussel populations in 27 rivers, or stretches of rivers that are within the boundaries of Special Areas of Conservation. The Derreen Sub-Basin Management Plan is partially located in County Wicklow, the Dereen being a tributary of the River Slaney.

## Amendment 49

### Section 17.3 Biodiversity

**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

**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).

**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.

## Amendment 50

### Section 17.4 Woodlands, trees and hedgerows

- 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.**

## Amendment 51

### Section 17.5 Water Systems

- 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.
- 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"*
- 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.**



## Amendment 52

### Section 17.6 Soils and Geology

Soil is a complex, variable and living medium and performs many vital functions including food and other biomass production, storage, filtration and transformation of many substances including water, carbon, and nitrogen. Soil has a role as a habitat and gene pool, serves as a platform for human activities, landscape and heritage and acts as a provider of raw materials. Such functions of soil are worthy of protection because of their socio-economic as well as environmental importance. To date, there is no legislation, which is specific to the protection of soil resources. However, there is currently an EU Thematic Strategy on the protection of soil which includes a proposal for a Soil Framework Directive which proposes common principles for protecting soils across the EU.

Sites and features of geological importance are non-renewable elements of our natural heritage, contributing greatly to the scientific, visual and conservation value of the landscape. It must also be acknowledged however that our geological resources are an economic asset that can be exploited. Therefore this plan will aim to protect unique geology or geological features of importance and to allow the exploitation of our geological resources in an environmentally sensitive manner.

The Geological Survey of Ireland is undertaking an assessment of geological features of value and these sites are to be proposed for designation as 'Geological Natural Heritage Areas'. These sites are referred to as 'Areas of Geological and Geomorphological Interest' in this plan, pending national designation and are located in Schedule 17.7 and Map 17.07 (Volume 2) of this plan.

#### Objectives

**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.

**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.

## Amendment 53

### Add new Section after Section 17.6 Geology

#### 17.7 Green Infrastructure

To ensure the protection, enhancement and maintenance of the natural environment and recognise the economic, social, environmental and physical value of green spaces through the development of and integration of Green Infrastructure (GI) planning and development in the planning process.

#### Objectives

- 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.
- 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.

## Chapter 18 Coastal Zone Management

## Amendment 54

- 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.

## Amendment 55

### Cell 2 Bray Head

This cell extends from the Brandy Hole in the north to the Cliff Road at Wingates in the south, bounded by the current R761. This is an area of high amenity under considerable pressure from development, coastal erosion, trespass and fire. Public access to Bray Head is provided via a public right of way along the cliff path, which extends from Bray to Greystones and numerous other paths and tracks.

Most of this area has been designated a Special Amenity Area under Section 202 of the Planning & Development Acts (SAAO). A SAAO is designed to protect areas that are of particularly high amenity value, which are sensitive to intense development pressure and which cannot be adequately protected by existing planning controls. As a candidate Special Area of Conservation, flora and fauna are particularly significant. Many of the species found

within this area are listed for protection under the EU Directives and the Wildlife Act, and these designations are upheld in the Order. In both the Bray and Wicklow Development Plans, important views and prospects of the Head are listed for protection.

## **Amendment 56**

### **Add new Chapter 19 'Implementation and monitoring'**

#### **Chapter 19 'Implementation and monitoring'**

##### **19.1 Introduction**

Wicklow County Council is committed to securing the implementation of the strategies, policies and objectives of this plan.

##### **19.2 Implementation**

Wicklow County Council will collaborate with relevant agencies and authorities to progress and expedite the implementation of the plan and will retain a development plan team to oversee and progress the implementation of programmes arising out of the plan.

Implementation of the plan will be achieved by:-

- Investment in infrastructure underpinning the development objectives of the plan. In this regard, the 'core strategy' of the plan shall set the priorities for the provision and improvement of infrastructure by both the Local Authority and other agencies, subject to the availability of funding;
- Integrating the strategies, policies and objectives of the plan with lower order plans such as local area plans, town and district plans, action area plans and master plans. Following the adoption of this County Development Plan, a programme of review of local plans will be commenced;
- Application of the objectives and standards of this plan in both Local Authority development but also in the assessment of all applications for development consent.
- Ongoing monitoring of the strategies, policies and objectives of the plan and identifying any needs for adjustment of objectives over the lifetime of the plan and in future reviews

##### **19.3 Monitoring**

###### **Plan objectives**

As far as practicable, every effort has been made to craft objectives that are specific, measurable, achievable and realistic. All of the objectives of the plan have been written with

the specific aim of fulfilling the 'Core Strategy' of the plan and its associated 10 'Strategic Goals' as well as the 15 environmental objectives as set out in the Strategic Environmental Assessment.

#### **Performance indicators**

The measurement of the success of the implementation of the 'core strategy' and the associated 10 'strategic goals' of the plan will be a complex process, as a wide number of actions will be required to secure each goal. Table 19.1 at the end of this chapter set out the major performance indicators under each goal. As planning now requires to be 'evidence based', performance indicators will be based on known sources of data, such as the Census (a Census will be carried out in 2011 with results available in 2012, around the same time as the 2 year review).

The progress on achieving the environmental goals as set out in the Strategic Environmental Assessment will be monitored as set out in Section 10 of the Strategic Environmental Assessment 'Monitoring Measures'

#### **Statutory 2 year review**

The development plan will be reviewed after 2 years and a progress report will be prepared on the achievements in securing the objectives of the plan.

#### **19.4 Collaboration and engagement**

The implementation of this plan requires the cooperation and participation of all stakeholders and Wicklow County Council will undertake a leadership role to progress and secure the implementation of the plan. In providing leadership role, the Council will aim to foster a collaborative approach with citizens, communities, stakeholders, sectoral interests, partners, Governmental and Non-Governmental agencies and adjoining authorities to achieve collective support and successful implementation of the plan.

<i><b>Strategic Goal</b></i>	<i><b>Performance Indicators</b></i>
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.	<ul style="list-style-type: none"><li>▪ Population growth in the County is channelled into the appropriate growth settlements in accordance with Plan</li><li>▪ Reduction in proportion of County population resident in unserved rural areas</li></ul>
To facilitate and encourage the growth of employment, enterprise and economic activity in the County, across all economic sectors and in all areas.	<ul style="list-style-type: none"><li>▪ Family income</li><li>▪ Unemployment rate</li><li>▪ Take up of new employment land</li><li>▪ Increase in rates base reflecting growth in commercial properties</li><li>▪ Diversification in employment sectors</li></ul>

To integrate land use planning with transportation planning, with the dual aim of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, and facilitating the delivery of improved public transport.	<ul style="list-style-type: none"> <li>Reduction in commuting distance and time to work and school</li> <li>Increase in use of public transport services</li> </ul>
To enhance existing housing areas and to provide for high quality new housing, at appropriate locations and to ensure the development of a range of house types, sizes and tenures in order to meet the differing needs of all in society and to promote balanced communities.	<ul style="list-style-type: none"> <li>Number of new houses provided in each settlement and rural area</li> <li>Number of areas / houses refurbished in the Local Authority housing stock</li> <li>Quality of new housing with regard to design, proximity to services, energy efficiency, green amenity</li> <li>Range of house types and size provided</li> </ul>
To maintain and enhance the viability and vibrancy of settlements, to ensure that towns and villages remain at the heart of the community and provide a wide range of retail, employment, social, recreational and infrastructural facilities.	<ul style="list-style-type: none"> <li>Population growth in settlements</li> <li>New retail and employment provision in settlements</li> <li>Reduction in vacant or derelict premises or sites</li> <li>Increase in engineering and social infrastructure</li> </ul>
To protect and enhance the County's rural assets and recognise the housing, employment, social and recreational needs of those in rural areas	<ul style="list-style-type: none"> <li>Environmental quality data (EPA / WCC)</li> <li>Reduction in travel distance to work / school</li> <li>Diversification in farming and generation from the land of alternative income from farming</li> </ul>
To protect and improve the County's transport, water, waste, energy and communications infrastructure, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna or other natural features	<ul style="list-style-type: none"> <li>Delivery of key infrastructural requirements as identified in Section C of the plan</li> <li>Overall quantum of new infrastructure delivered</li> <li>Growth in broadband coverage in the County</li> <li>Number of alternative energy projects delivered</li> </ul>
To promote and facilitate the development of sustainable communities through land use planning, by providing for land uses capable of accommodating community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups, in tandem with the delivery of residential and physical infrastructure in order to create a quality built environment in which to live.	<ul style="list-style-type: none"> <li>Take up of community / education / institutionally zoned land</li> <li>Number of new educational / childcare facilities provided</li> <li>Number of new leisure / recreational facilities provided</li> <li>Number of social infrastructure audits carried out as part of development proposals and number of projects delivered by private developers through this and the action area / master planning process</li> <li>Number of houses in the County more than 1km from community 'hub'</li> </ul>
To protect and enhance the diversity of the County's natural and built heritage	<ul style="list-style-type: none"> <li>Improvement in water quality</li> <li>Maintenance of extent and quality of protected habitats</li> <li>Number of protected structures lost or damaged</li> <li>Number of protected structures rescued and revitalised</li> <li>Access to heritage sites</li> </ul>
To address the climate change challenge, as a plan dynamic, throughout the County Plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan	<ul style="list-style-type: none"> <li>Increase / decrease in energy efficiency, (if statistics available)</li> <li>Expansion of renewable energy generating sector</li> <li>Occurrence of flood damage</li> </ul>

policy, strategies and objectives.	
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## **Volume 3 Town Plans**

### **Amendment 57**

#### **Carnew Town Plan**

Amend as follows:

Enlarge CE zone on Gorey Road from c. 0.3 hectares to 0.64 hectares (see map attached)

### **Amendment 58**

#### **Shillelagh Town Plan**

Amend as follows:-

1. Change zoning of 8.5ha of part AOS and part CE to all CE1 (see map attached)

2. Add new text as follows:-

#### **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.

## **SECTION 4 SUBMISSIONS OF PRESCRIBED BODIES & ELECTED REPRESENTATIVES**

### **4.0 INTRODUCTION**

The prescribed bodies that were advised of the publication of the draft plan and invited to make a submission were:

- Minister for the Environment, Heritage & Local Government
- Minister for Agriculture & Food
- Minister for Community, Rural and Gaeltacht affairs
- Minister for Defence
- Minister for Education & Science
- Minister for Communications, Energy and Natural Resources
- Minister for Transport
- An Bord Pleanála
- Dublin Airport Authority (DAA)
- Fáilte Ireland
- Central Fisheries Board
- Eastern Regional Fisheries Board (ERFB)
- An Comhairle Ealaíon
- Office of Public Works (OPW)
- Dublin Transport Office (DTO)
- Electricity Supply Board (ESB)
- Environmental Protection Agency (EPA)
- Forfas
- Health Service Executive (HSE)
- Heritage Council
- Health & Safety Authority (HSA)
- National Roads Authority (NRA)
- An Taisce
- Bray Town Council
- Wicklow Town Council
- Arklow Town Council
- Wicklow County Development Board
- Mid-East Regional Authority
- South-east Regional Authority
- Dublin Regional Authority
- Carlow County Council
- Kildare County Council



- South Dublin County Council
- Dun-Laoghaire Rathdown County Council
- Meath County Council
- Wexford County Council

Of these 36 bodies, a total of 10 made submissions:-

1. An Taisce (Submission No. 1)
2. Department of the Education & Science (Submission No. 2)
3. Department of the Environment, Heritage and Local Government (Submission No. 3)
4. Dublin City Council (Submission No. 4)
5. DTO (Submission No. 5)
6. ERFB (Submission No. 6)
7. EPA (Submission No. 7)
8. HSA (Submission No. 8)
9. NRA (Submission No. 9)
10. Wicklow Town Council (Submission No. 10)

Six elected representatives also made submissions:-

1. Cllr Vincent Blake WCC (Submission No. 11)
2. Cllr Thomas Cullen WCC (Submission No. 12)
3. Cllr Tom Fortune WCC / GTC (Submission No. 13)
4. Cllr Pat Kavanagh WTC (Submission No. 14)
5. Cllr Derek Mitchell WCC/GTC (Submission No. 15)
6. Cllr Irene Winters WCC/WTC (Submission No. 16)

#### **4.1 DEPARTMENT OF THE ENVIRONMENT, HERITAGE AND LOCAL GOVERNMENT**

##### **1. Introduction**

The Planning & Development (Amendment) Bill 2009 includes a new provision that the Manager's Report at this stage of the plan making process address at the outset the issues raised by the Minister (and other prescribed bodies). It further provides that where a planning authority (that is, the elected members), after considering the observations or recommendations of the Minister decides not to comply with his recommendation, it shall so inform the Minister of the reasons for this decision, who may take further action under Section 31 of the Act.

The DoEHLG has provided comment and analysis on 6 key issues in the plan, namely:

- Core Strategy
- Population
- Settlement Strategy
- Zoning
- Guidelines
- Nature Conservation, SEA and AA

The DoEHLG has provided lengthy feedback and comment on the issue of nature conservation, the SEA and the Appropriate Assessment. The comments provided will be evaluated with all feedback received on these topics in Section 6 of this Report.

## **2. Core strategy**

### **Issue raised**

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The inclusion of clear 'strategic goals' is welcomed but in order to 'future proof' the plan with the regard to the provisions of the Planning & Development (Amendment) Bill 2009 that plan should incorporate a 'core strategy'

### **Manager's opinion**

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While it is considered that the contents on Chapters 3 and 4 of the draft plan essentially comprise a 'core strategy' for the future development of the County, it is recommend that these chapter be revised to more clearly 'fit' with the future vision for 'core strategies' as set out in the Planning Bill. As this entails a number of amendments to these chapters, proposed revised versions of these chapters are included in Appendix 1 of this report.

### **Manager's recommendation**

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Amend Chapters 3 and 4 of the draft plan as set out in Appendix 1 of this report

## **3. Population**

### **Issue raised**

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The population and settlement tables provided in the draft plan are considered very useful and welcomed, however it is considered that it would be helpful if the tables were summarised in text form for the essence / implication of the tables to be clear.

### **Manager's opinion**

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This is noted and the proposed amendments to Chapter 4 are shown in Appendix 1

### **Manager's recommendation**

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Amend Chapter 4 of the draft plan as set out in Appendix 1

#### **4. Settlement strategy**

##### **Issue raised**

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It is noted that the proposed settlement strategy varies from the existing Regional Planning Guidelines for the Greater Dublin Area 2004-2016 in promoting Rathdrum and Baltinglass. While the reasons for this are noted, this matter should be pursued through the current review of the RPGs, to ensure alignment of the finally adopted plan with the proposed RPGs.

##### **Manager's opinion**

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Since the production of the draft plan, draft new RPGs have been published. While Wicklow County Council did pursue the issue of the designation of Rathdrum and Baltinglass with the RPG plan team during the preparing of the draft guidelines, these towns have not been altered in status, still coming within the definition of 'small towns', although the draft guidelines do acknowledge the important role of small commercial towns, remote from core commuter areas and having a strong trading tradition serving a large rural hinterland, such as Baltinglass.

The guidelines indicate that such economically active independent towns, with less dependence on commuting for population growth, should be recognised in the Development Plans for their key local importance and be supported in this role and that it is important that the investment in social infrastructure in such locally significant towns is at a higher level, equivalent to larger size centres in recognition of their role as key centres for a very large rural hinterland and for surrounding smaller villages and towns.

Having regard to the publication of the draft RPGs (including its settlement strategy and population projections) and the provisions of the Planning & Development (Amendment) Bill 2009, it is recommended that the plan is brought fully in line with the RPGs, which will require alterations to a number of Chapters, namely Chapters 3-3. Proposed amendments are set out in Section 3 and Appendix 1 of this report. There will also be 'knock-on changes' in a number of other chapters, which are also set out in Section 3.

##### **Manager's recommendation**

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Amend Chapters 3-5 as set out in Appendix 1

## 5. Zoning

### Issue raised

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It is noted that it is proposed to zone Sexton's Garden Centre for Integrated Tourism / Leisure / Recreational Use. Any revised access arrangements for the N11 arising from the proposed zoning should in the first instance be subject to and take account of consultation with the NRA

### Manager's opinion

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The lands in question have been designated for development since 2004 (these lands are in fact designated for '*Arts, Craft and Interpretative Centre*' rather than an ITLR complex). The N11 Kilmacanogue to Glen Of The Downs scheme, which was approved and under construction prior to this designation provided for a new access point to the site from the rear (east) but did not provide for the closure of the access directly onto the N11. While not explicitly stated in the 2004 County Development Plan, pre-planning discussions and a subsequent planning application for development on this site were progressed strictly on the basis of access only being allowed from the new rear entrance and the existing entrance onto the N11 being sealed. The NRA in its submission (Submission No. 9) has indicated that access to the site should only be from the local road network. The NRA also indicates the general requirement that the plan should include an objective that developments in the vicinity of N11 junctions (as is the case in Sexton's) should be accompanied by traffic and transport assessments and where relevant, Roads Safety Audits, which should also take into account the cumulative impact on junctions arising from other planned developments.

It is not considered appropriate to apply site specific controls or caveats on the Sexton's designation alone; however, the NRA's requests regarding the management and treatment of applications for developments on or in the vicinity of the N11 and its junctions will be taken on board (please refer to the submission from the NRA, Submission No.9 ).

### Manager's recommendation

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No change on foot of this submission, however, please refer to Submission No. 9

## 6. Guidelines

### Issue raised

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The Council is requested to indicate in the plan that the DoEHLG guidelines '*Sustainable Residential Development in Urban Areas*' (May 2009) and '*Sustainable Urban Housing; Design Standards for New Apartments*' (Sep 2007) will be adhered to.

### Manager's opinion

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These documents were utilised by the plan team in drawing up the design standards set out in Chapter 5 of the draft plan and specific reference is made to the document named by the DoEHLG on Page 33 of the draft plan.

### Manager's recommendation

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No change

## 4.2 AN TAISCE

This submission is lengthy and addresses many areas of the draft plan. However, An Taisce has refined the analysis of each topic into a set of recommendations, and this report will only deal with these.

### Chapter 3 'Vision & Strategic goals'

#### Issues raised

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The following requests are made:

- i. Goal 10 (*'To address the climate change challenge, as a plan dynamic, throughout the County Plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives'*) should become Goal 1, given that this is the fundamentally important challenge of our era
- ii. Goal 10 should include the following additional text: *The Planning Authority is committed through the implementation of the policies and objectives of this Development Plan and subsequent development plans to transform County Wicklow into a low-carbon society and to increase local energy security and resilience. It is therefore an overarching objective of this Development Plan to achieve a reduction of greenhouse gases of at least 20% below 1990 levels and an increase in energy efficiency of at least 20% by 2020. The Planning Authority is committed to exceeding these targets in accordance with Ireland's agreed international commitments as set out in the EU "Climate Action and Renewable Energy Package" of January 2008'.*
- iii. Goal 9 (*'To protect and enhance the diversity of the County's natural and built heritage'*) should include the following additional text:  
*'To implement the provisions of the National Biodiversity Plan to secure the conservation, including where possible the enhancement, and sustainable use of biological diversity in Wicklow and to contribute to conservation and sustainable use of biodiversity globally' and "To implement the provisions of the Eastern River Basin Management Plan and the EU Water Framework Directive to achieve 'Good' status in all water bodies by 2015'.*

### Manager's opinion

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- i. The strategic goals set out in Chapter 3 are in no particular order and while climate change is acknowledged as being at critical issue at present, all of the objectives are considered as important as each other and therefore no change is recommended
- ii. The Planning Authority is committed through the implementation of the policies and objectives of this Development Plan and subsequent development plans to impact on the future of the County, including any actions or measures necessary to address current and future challenges such as climate change, as clearly elucidated in Goal 10 i.e. *"To address the climate change challenge, as a plan dynamic, throughout the County Plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives"*. In this regard, it is not considered appropriate to go further by setting local greenhouse gas emission targets as this is an issue that is being dealt with at a national, rather than local level.
- iii. The goals set out in Chapter 3 are intended to be 'strategic' rather than specific. However each goal will be fulfilled is then set out in the various chapters of the plan. The implementation of Biodiversity Plans (national and local) as well as River Basin Management Plans are included as objectives in Chapter 17 principally, but are also addressed in other chapters. Therefore it is not considered necessary to add the text suggested.

### Manager's recommendation

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No change



## **Chapter 4      'Population, housing & settlement'**

### **Issues raised**

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The following requests are made:

- i.      The population, housing and settlement strategy should follow the methodology for the 'Core Strategy' as set out in the Planning & Development (Amendment) Bill 2009.
- ii.     The plan should provide for lower population growth than that set out and allocated by the DoEHLG having regard to the current economic situation and the required transition to a low resource throughput steady state economic model.
- iii.    Owing to the extent of existing and uncommitted land zoned for development within the designated urban centres of Wicklow and the likely predicted demand for new development over the lifetime of the Draft Development Plan, the Planning Authority should desist from zoning any new land for development purposes. Instead the focus must be on retrofitting established urban centres to create a consolidated urban form.
- iv.     Baltinglass and Rathdrum should not be designated 'moderate growth towns'

### **Manager's opinion**

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- i.      Noted. It is recommended to amend Chapters 3 and 4 to reflect the provisions of the Planning Bill (as set out in Appendix 1 of this report)
- ii.     The County Development Plan is required to be consistent with higher order plans and guidelines as well as the policies of Government. While it is recommended to amend Chapter 3 and 4 in light of new data available since the publication of the draft plan, the population targets set out by the DoEHLG and the Regional Authority will be adhered to in the plan. Furthermore, Development Plans have to accommodate medium to long term requirements and cannot be ruled by short term events influenced by the vagaries of the economic cycle.
- iii.    The draft development does not make provision for any new zoning for housing as this is addressed in local plans.
- iv.     Noted. Having regard to the publication of the draft RPGs (including its settlement strategy and population projections) and the provisions of the Planning & Development

(Amendment) Bill 2009, it is recommended that the plan is brought fully in line with the RPGs, which will requires alterations to a number of Chapters, namely Chapters 3-5. Proposed amendments are set out in Appendix 1. There will also be 'knock-on changes' in a number of other chapters, which are also set out in Appendix 1.

#### **Manager's recommendation**

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Amend Chapters 3-5 as set out in Appendix 1

## Chapter 5 'Urban Housing & Development'

### Issues raised

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The following requests are made:

- i. Under the heading 'Unit sizes and Formats' (Section 5.4.5.2) the following text should be added: *'All new residential dwelling units will be required to include an appropriately sized drying/airing cupboard or the indoor drying of clothes'*
- ii. Under Section 5.4.4 'Accessibility' add the following text: *'The Planning Authority will give positive consideration to waiving car parking requirements at town centre locations and locations which are well served by high quality public transport'*
- iii. Under Section 5.4.5.3 'Open Space' add the following text: *'Where a development proposed is substantially or completely apartment style development it is the policy of the Council that an appropriate proportion area of the area designated as open space be set-a-side for allotment/community garden use'*

### Manager's opinion

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- i. Section 5.4.5.2 of the draft plan requires that *"the minimum room size and storage space standards set out in Sustainable Urban Housing: Design Standards for New Apartments' (DoEHLG 2007) shall be adhered to"*. These Ministerial guidelines, issued under Section 28 of the Act, address unit sizes, internal storage and balconies but do not specifically advise on the provision of indoor drying areas, but do indicate that the minimum internal storage requirements do not include hot presses / airing cupboard. It is not considered necessary to add / amend the plan in this regard as the guidelines address the issue raised.
- ii. This issue is already addressed in the plan in Chapter 11, Section 11.5 'Parking'. Under Objective PP1, it is set out that deviations from the minimum car parking requirement (which would include waiving the need to provide any car parking) can be considered where the development is 'in close proximity to a transport interchange'. It is not considered necessary to re-state this objective in Chapter 5 as the policies / objectives of Chapter 11 (Transportation) will relate to a number of different development types and chapters of the plan and should be read in conjunction with Chapter 5.

- iii. The general aims of providing open space in a residential development are to provide play areas for children and to provide green gaps between built up, hard areas for visual diversity and to main ecological corridors. It is considered that the designation of such lands for allotments reduces that amount of space available for to fulfill these functions and that allotments should be planned separately, rather than taking up some of the designated residential open space (which could have the effect of lowering overall density, contrary to national policy). No amendment is recommended in this regard.

**Manager's recommendation**

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No change

## Chapter 6 'Rural Housing & Development'

### Issues raised

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The following requests are made:

- i. The target of 1,800 new one-off rural dwellings 2006-2022 is ill-advised, given Ireland's onerous obligations under the Water Framework Directive, the requirement to reduce greenhouse gas emissions and the need to increase resilience to oil price inflation.
- ii. Under Section 6.4.3 '*Houses in the open countryside*' add the following text: '*The Planning Authority will require that all new one-off rural dwellings be BER 'A' at a minimum and, where possible, entirely energy neutral or 'passive' in order to minimise future reliance on fuel sources*
- iii. Under Section 6.4.3 '*Houses in the open countryside*' add the following objective:  
'*RH 15 – The Planning Authority will within one year of the publication of the Draft Development Plan prepare a rural design guide for housing in the open countryside*'

### Manager's opinion

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- i. The plan estimates that the number of people residents in the rural area will gradually increase from 30,328 in 2006 to 35,278 in 2022. However this will equate to a reduction in the proportion living in the rural area from 24% in 2006 to 18% of the County's population. Therefore a gradual decrease in the proportion of the County's residents living in the open countryside is planned, although this will entail an increase in absolute numbers. (Note: Amendments to the 2016 and 2022 population targets are recommended which slightly alter these figures, but the principle remains the same). It is considered unreasonable in a rural county like Wicklow to assume that the absolute number of people living in the rural area will fall, as there will also be a significant proportion of people who will be linked to and require to live in the rural area and the "Sustainable Rural Housing - Guidelines for Planning Authorities" (2005) makes provision for rural housing in such circumstances. This issue of water protection and sustainable transport will however play an important role with regard to the location of new rural houses, and these issues are addressed under the heading 'site selection' in Section 6.4.3 of Chapter 6 and in Chapters 12 and 17.
- ii. Chapter 14 of the draft plan addresses energy efficiency and included an objective that all new dwellings should meet a minimum BER of B1. This objective has however been

re-evaluated as it is considered more appropriate that the issue of the building energy efficiency is addressed through building energy regulations rather than the objectives of a land use plan, as this will set the overall national standards with regard to energy and will be reviewed over time. It is recommended that Objectives ED1 and EH1 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.*

- iii. Chapter 6 includes considerable design guidance for rural houses, which address all the issues that are raised in other stand-alone design guides, such as the Cork Rural Design Guide, which is often cited as best practice example. It is not considered warranted therefore to provide a separate design guide for the County, particularly given the resource restraints of the Council and therefore this should not be included as an objective.

#### **Manager's recommendation**

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No change

## Chapter 7 'Enterprise & Employment' & Chapter 8 'The Rural Economy'

### Issues raised

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The following requests are made:

- i. Section 7.1 'Enterprise & Employment Strategy' should include the following:
  - *Placing a particular emphasis on maximising the use of the County's natural assets by promoting the tourism industry in an environmentally sensitive and sustainable way*
  - *Recognising the importance of agriculture as an economic activity that, with changing environmental and worldwide economic conditions, will assume a greater importance in the future*
- ii. Section 7.3 'Factors influencing future economic development' should be amended to include 'Critical Mass of Population' within the major urban centres of the County as a key additional driving factor

### Manager's opinion

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- i. Both of these issues are addressed in their relevant chapters. Strategies for the development of agriculture are set out in Chapter 8 'The Rural Economy' wherein it is the stated objective to "encourage the continued operation of farming and its associated uses where it already exists, and to facilitate the diversification of the agricultural economy through the support of appropriate alternative farm enterprise sources".  
Tourism is dealt with in Chapter 9, which includes the stated objective "to promote, encourage and facilitate the development of the tourism and recreation sectors in a sustainable manner. This means that the Council will permit the development and maintenance of tourism and recreation developments which help generate income and employment for locals, so long as the development is in a manner and at such a scale that it remains viable over an indefinite period and does not degrade or alter the natural and built environment or the local culture in which it exists".  
It is not considered necessary therefore to restate these objectives in Chapter 7
- ii. This factor is not included as it is implicit that a critical mass of population is required to sustain the economy of the County and of various towns, and this a key factor behind the settlement and population strategy of the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 and this plan.

**Manager's recommendation**

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No change



## Chapter 10 'Retail'

### Issues raised

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It is requested that the following new objectives are included:

- i. *'The Planning Authority will require as a condition of consent that any proposed retail development outside of the town centre be subject to financial demand management for car parking.'*
- ii. *'The Planning Authority will seek to address the potential impact of economic downturn in creating vacant retail space on street frontages, which would have a blighting effect. Cooperative structures will be developed with businesses, traders, community and voluntary groups to secure temporary uses for vacant premises, or maintain frontages for displays on local businesses and services'.*

### Manager's opinion

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- i. The proposed objective would essentially require out of town shopping developments to charge for car parking, in effect to restore balance in attractiveness between such out of centre retail areas and the core town centre, where parking is not normally free. With regard to free parking being available at out of centre shopping centres, it is considered excessive to include a policy / objective requiring that charges be made for such car parking. The key here is the control of the location and size of such shopping centres so that they complement rather than take away from existing town centres. Chapter 10 includes sufficient objectives and control measures to ensure that the location and scale of new retail facilities can be managed.
- ii. It is considered appropriate that the plan address this issue through an objective requiring temporary displays / artwork etc in / on shopfronts when not in active usage.

### Manager's recommendation

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Amend the plan as follows:-

Chapter 10 Retail            Section 10.6 Retail and shopfront design standards  
Add new Section 10.6.9

#### **10.6.10 Vacant retail units**

Vacant properties have a very negative impact on our town centres - visitors and shoppers can be discouraged from return visits, the look and feel of the town centre is one of decline, the retail offer is weakened and investment stagnates. In this regard, it will be condition of the

grant of permission for any new or extended / refurbished units that at all times that the retail unit is not in active use, the street front display area will be required to be provided with an attractive temporary display or professionally designed artwork affixed to the glass frontage. The temporary use of the retail space during such times for creative, cultural or community purposes will be encouraged; however, such change of use may require planning permission, and advice will be provided by the Council on a case by case basis in this regard.

## Chapter 11 'Roads & transportation'

### Issues raised

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The following requests are made:

- i. Section 11.3 '*Cycling & walking*' should include reference to new map inserted in Volume 2 of the Draft Development Plan illustrating all uncontested Rights of Way in County Wicklow.
- ii. Section 11.4.1 'National Roads' - all objectives relating to the DOOR 'Dublin Outer Orbital Route' extending in Wicklow should be removed.
- iii. Section 11.4.2 'Regional Roads' add new objective:  
*RR4 Future modifications to the R747 should be minimal, and based on improvements in road safety to meet existing use, and not on encouraging increased traffic. Development along this route should be limited to local needs, and in keeping with retaining its rural character*
- iv. Section 11.7.4 '*Entrances & sightlines*' add new bullet point:  
*- All external lighting at entrances shall be cowled and directed away from the public roads and adjacent dwellings*

### Manager's opinion

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- i. The inclusion of ROWs in the County Development Plan was previously considered during the course of both the 1999 and the 2004 County Development Plans and it was decided not to include ROWs in either plan. After the adoption of the 2004 plan, a committee was set up to investigate this matter further and it was determined that inadequate information was available draw up a comprehensive or accurate list and that legal difficulties were likely to arise regarding the validity of certain ROWs, land ownership issues etc. One of the outcomes of the investigation carried out into ROWs was the determination that there would be more benefit for recreational users in Wicklow to pursue an 'agreed access' approach in conjunction with landowners, users and other stakeholders. In this regard, the 'Wicklow Countryside Access Service' a joint project of the Wicklow Rural Partnership and the Wicklow Uplands Council was established. The function of the project is to establish a network of access routes, on private lands in the Wicklow by means of voluntary agreements with private

landowners. The project is supported financially by Comhairle na Tuaithe, Wicklow County Council, Wicklow Rural Partnership and Wicklow Uplands Council.

- ii. While it is accepted that the connection of Arklow to the Dublin Outer Orbital Route is not currently included in Transport 21, it is included in the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022. The draft RPGs indicated that the connection of the DOOR to Arklow *“will have important implications for strategic planning and economic opportunity in the mid East counties. Route selection and design should continue in order that planning authorities can evaluate implications and capitalise on the benefits and potential arising if this project is progressed from what is likely to be a significant national investment.”*. Therefore it is considered appropriate to maintain this objective for the long term development of Arklow as a major growth pole. Obviously this is a matter that will have to be pursued in consultation with the NRA and the Department of Transport.
- iii. The R747 is a major regional road from Arklow to Baltinglass via Aughrim, Tinahely, Hacketstown and Kiltegan. This road will require to be improved as required by increased demand for use. Improvements to this road will not in themselves result in increased usage – the settlement strategy for the County will determine the spatial spread of population and where new growth is to occur. Therefore the inclusion of the proposed objective is not considered acceptable or warranted.
- iv. This objective is already include in the draft plan in Chapter 13 'Waste & Environmental Emissions' under the heading 'Light' (Section 13.8.7)

#### **Manager's recommendation**

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No change

## Chapter 12 'Water Infrastructure'

### Issues raised

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The following requests are made:

i. Section 12.4 'Waste Water'

Add new text onto Objective WW2 as follows:

**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 the available waste water treatment capacity under the terms of the relevant Waste Water Discharge Licence. Where there is limited capacity within the Waste Water Treatment Plant to accommodate new development the Planning Authority will:*

*(a) Refuse planning permission for development that would create significant additional loadings on existing wastewater treatment works or storm water overflows that are already evidently struggling to meet the current terms of the waste water discharge license and where upgraded facilities will take considerable time to put in place; or*

*(b) Consider granting permission with conditions limiting the commencement of development where suitably upgraded facilities will be procured, within a reasonable timescale that would allow the development proposed to proceed, in accordance with the specified improvement programme timeframe for compliance with the emission limit values in the relevant EPA discharge license and ensuring that the requirements of the "combined approach" will be met.*

ii. Section 12.4 'Waste Water'

Add fifth bullet point onto Objective WW3 as follows:

**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***

iii. Section 12.4 'Waste Water'

Include new objectives

*WW 9 'The Planning Authority shall establish a framework agreement panel of authorised site characterisation assessors to undertake all site characterisation tests for new private waste water treatment systems in accordance with current EPA standards.'*

*WW10 'The Planning Authority will, where appropriate, positively support the provision of Integrated Constructed Wetlands (ICW) as an alternative to conventional waste water treatment plants in rural villages, urban centres and for one-off development throughout the county.'*

*WW11 "The Planning Authority will implement a pilot scheme of ICW projects throughout the county during the lifetime of the Development Plan."*

iv. Section 12.6 'Flooding'

Add new text onto Objective FL1 as follows:

FL1 To prepare flood zone maps for all zoned lands within the County as part of future Local Area Plans ***in cooperation with the Office of Public Works. Where it is demonstrated that land zoned for development constitutes an unacceptable flood risk the Planning Authority will commence proceedings under S.13 of the Planning & Development Act 2000 (as amended) to amend the zoning objective pertaining to the lands as required.'***

### Manager's opinion

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- i. The intention of the new text is noted and agreed and the Local Authority as a matter of course and in recognition of its obligations under the Water Services Acts monitors the cumulative effect of grants of planning permission on available waste water treatment capacity under the terms of the relevant Waste Water Discharge License and where inadequate capacity is available, does not grant permission unless additional capacity is to be provided during the lifetime of any permission. It is recommended that additional text be added to Objective WW2 to this effect.
- ii. Noted and agreed.
- iii. With regard to suggested Objective WW9, Wicklow County Council has recently produced a policy guidance document on wastewater treatment and disposal systems for single houses, based on EPA guidance. This document clearly sets out the requirements for such systems and the code of practice and standards to be achieved by those carrying out the assessment. This policy requires that any site assessments and proposals for on-site effluent disposal systems are carried out by suitably qualified professionals and that details of such qualifications along with their professional indemnity insurance be submitted with any application.  
It is not considered warranted to include suggested Objectives WW10 and WW11 - individuals / groups or indeed the Local Authority may propose such systems and be considered favourably within the confines of the existing policies and objectives of the draft plan and therefore specific encouragement is not necessary.
- iv. The recently published Ministerial guidelines "*The Planning System and Flood Risk Management – Guidelines for Planning Authorities*" DoEHLG / OPW 2009 set out the 'options' where land is found to be at high flood risk. Amending the zoning is an option that can be considered. However, it is considered inappropriate to include an objective that this would be the automatic solution to the identification of flood risk areas. As set out in Section 12.6 of this chapter, both the preparation of local development plans and the assessment of planning applications will be guided by the guidelines.

### Manager's recommendation

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Amend Chapter 12 as follows:

Section 12.4 'Waste Water'

Add new text onto Objective WW2 as follows:

**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

#### **Section 12.4 'Waste Water'**

Add new text onto Objective WW3 as follows:

**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



## Chapter 13 'Waste & environmental emissions'

### Issues raised

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The following requests are made:

- i. Section 13.7 'Light pollution'  
Add new text as follows:-

#### **13.7 Light pollution**

While the use of artificial light has done much to safeguard and enhance our night-time environment, if it is not properly controlled, obtrusive light (commonly referred to as light pollution) can present physiological, ecological and safety problems. *Outdoor lighting, when misdirected towards public roads (light glare), can be a hazard to drivers.* Light pollution, whether it keeps you awake through a bedroom window (*light trespass*) or impedes your view of the night sky (*sky glow*), is a form of pollution and could be substantially reduced without detriment to the lighting task.

#### **Light pollution objectives**

LP1 To require proposals for new developments with the potential to create light pollution or light impacts on adjacent residence to mitigate impacts (in accordance with the standards set out in Section 13.8 below).

*LP2 To identify landscape areas in the county that will be classified as zones where prevention of light pollution is an objective of the Development Plan.*

*LP3 To integrate measures that mitigate light pollution into maintenance regimens of existing lighting schemes, so that in future light pollution will be lessened in areas now effected*

- ii. Section 13.8.7 'Development Standards – Light'

Add new bullet point

- *To preserve the character of the night time landscape, roads in rural areas should use the minimum amount of lighting necessary, restricted to critical intersections. Passive measures, such as cat's eyes and reflectorised markings, should be preferred as night time safety guides.*

### Manager's opinion

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- i. While the text suggested for the intro to Section 13.7 is noted and considered appropriate, the proposed new objectives are problematic. With regard to LP2, it

unclear how such an assessment would be carried out and what its impacts would be on property owners / households. It is considered however that the 'Development Standards' relating to light (Section 13.8.7) could be amended slightly to address landscaper impacts. With regard to proposed LP3 this would appear to suggesting that the Local Authority would initiate a programme of assessing existing lighting schemes (presumably both on public roads and in housing areas) and where excessive lighting is found to exist, to implement a programme of addressing same. As the Local Authority would have no power to compel private developers to carry out such works the cost of running such a scheme would have to be borne by the Local Authority. No funding is available for such a programme and therefore it would be unlikely to be possible to implement. Therefore the proposed objective is considered aspirational and unimplementable and therefore inappropriate to include.

- ii. This suggestion is considered reasonable.

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#### Manager's recommendation

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#### Amend Chapter 13 as follows:-

##### Section 13.7 Light Pollution

While the use of artificial light has done much to safeguard and enhance our night-time environment, if it is not properly controlled, obtrusive light (commonly referred to as light pollution) can present physiological, ecological and safety problems. **Outdoor lighting, when misdirected towards public roads (light glare), can be a hazard to drivers.** Light pollution, whether it keeps you awake through a bedroom window (**light trespass**) or impedes your view of the night sky (**sky glow**), is a form of pollution and could be substantially reduced without detriment to the lighting task.

##### Section 13.8.7 'Light' as follows:

- Applications for permission which include the provision of new street lighting or significant on site / on building lighting shall be accompanied by a certificate from a suitably qualified professional in the field confirming that all lighting has been so positioned and designed to eliminate or mitigate impacts on adjoining properties, particularly residences (**light trespass**) or on the night sky (**sky glow**). Regard shall be taken of Guidance *Notes for the Reduction of Light Pollution* (Institute of Lighting Engineers, 2000).
- All external lighting attached to buildings shall be cowled and directed away from the public roads and adjacent dwellings.

- To preserve the character of the night time landscape, roads in rural areas should use the minimum amount of lighting necessary, restricted to critical intersections. Passive measures, such as cat's eyes and reflectorised markings, should be preferred as night time safety guides.

## Chapter 17 'Natural Heritage'

### Issues raised

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The following requests are made:

- i. Section 17.1 'Introduction', amend the text as follows:-

The 'natural environment' encompasses all living and non-living things occurring naturally and are not primarily or solely of human creation, in contrast to the 'built environment'. However, it is **virtually** impossible to separate the natural environment from human beings as most natural environments have been directly or indirectly influenced by humans at some period in time. Therefore some level of human influence is thus allowable, without the status of any particular landscape ceasing to be "natural". Wicklow supports a good diversity of natural and semi natural habitats such as marine, coastal, wetland, woodland, lake, river and upland environments that in turn support a wide range of wild plant and animal species. This biodiversity provides intrinsic economic and social benefits for the County and contributes greatly to quality of life, recreational, amenity and tourism value. The conservation and management of the natural environment must be viewed as ~~an important~~ **a central** element in the long-term economic ~~growth~~ and **social** development of the County. The Council has **an important** role to play when it comes to promoting a reasonable balance between conservation measures and development needs, in order to avoid negative impacts upon the natural environment, mitigate the effects of harm where it cannot be avoided, and to promote the appropriate enhancement of the natural environment as an integral part of any development. The County Wicklow Heritage Plan provides one framework through which the Council works actively with other partner organisations on initiatives to further our understanding, protection and appreciation of Wicklow's natural heritage resource.

- ii. Add new Sections into Chapter 17 as follows:

#### **(1) Green Infrastructure**

To ensure the protection, enhancement and maintenance of the natural environment and recognise the economic, social, environmental and physical value of green spaces through the development of and integration of Green Infrastructure (GI) planning and development in the planning process.

#### ***Objectives***

- The Planning Authority will prepare a county based Green Infrastructure Strategy linking to adjoining areas and following regional connections, and implement GI strategies in local area plans and development management processes.

- As part of the GI Strategy the Planning Authority will
  - (i) A 'stock take' of existing data available, studies and survey works and identify areas for further work.
  - (ii) Identify threats to habitats and green spaces as part of GI development and provide appropriate responses, obviation and mitigation measures as part of the process.
  - (iii) Identify priority areas for investment and pilot projects, including long and short term objectives and have clear designation of responsibility of process ownership for delivery of particular aims.
  - (iv) Engage with private landowners, relevant agencies (governmental and NGO's), community groups to build partnerships for development, delivery and maintenance of green infrastructure strategies and action plans.
- Apply the principles of GI development and county GI strategies to inform the development management process in terms of the design and layout of new residential areas, business/industrial development and other relevant projects.
- 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.

## (2) Soil

### *Objective*

- The Council will expand the use of geological and soil mapping to inform planning decisions relating to settlement, 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), and those which are essential for habitat protection, or have geological significance

### iii. Section 17.3 'Biodiversity'

Amend Objective BD4 as follows:-

- BD4** 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) **& 6 (4)** of the Habitats Directive. ***It is the policy of the Planning Authority:***
- ***To refer any application for development to the National Parks & Wildlife Service where there is a possibility that the proposed development may have***

*an impact on proposed or designated European Sites and Natural Heritage Areas.*

- To prohibit development which, individually or cumulatively, would have a direct or indirect adverse impact on these areas.*

- To retain European Sites and Natural Heritage Areas in their natural or unmodified state.*

- To promote areas for appropriate development, primarily for recreational or educational purposes, that would not conflict with the primary conservation objectives of the site.*

Add new objectives

**BD10**     *“No development shall be permitted on peatlands before a Peat Landslide Hazard & Risk Assessment and an Ecological Impact Assessment is undertaken.”*

**BD11**     *‘To maintain and enhance wetlands and peatlands in the County and to resist any development which proposes the draining of wetlands and/or the dewatering of peatlands, including agricultural development.*

iv.     Section 17.4 ‘Woodlands, trees and hedgerows’

Amend Objective WH6 as follows:-

**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.*

v.     Section 17.6 ‘Geology’

In Map 17.07 identify Arklow Rock as a Site of Geological Interest

vi.     Section 17.7 ‘Recreation use of natural resources’

Amend Objective AW6 as follows:-

**AW6**     To implement the measures set out in the Bray Head SAAO (Special Amenity Order), *to seek the designation of The Murrough Wetlands as a SAAO* and investigate the possibility of the designation of further SAAOs in the County (as shown on Map 17.08 (Volume 2) of this plan)

## **Manager's opinion**

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- i. The wording changes suggested are considered appropriate to incorporate
- ii. The suggested inclusion of sections on Green Infrastructure (GI) and Soil are noted and are considered appropriate to address in the plan.
- iii. Regarding Objective BD4, while it is considered appropriate to include reference to Article 6(4) of the Habitats Directive, the other suggested changes are not wanted because (a) The Local Authority is already obliged under the provision of the Planning Acts and associated Regulations to refer any application for development to the National Parks & Wildlife Service where there is a possibility that the proposed development may have an impact on proposed or designated European Sites and Natural Heritage Areas, (b) The Habitats Directive does not actually prohibit development which, individually or cumulatively, would have a direct or indirect adverse impact on these areas – rather, it requires any plan, programme or project to be appropriately assessed to determine the impact before any decision is made to confer consent and includes a provision whereby some plans, programmes or projects can proceed notwithstanding the identification of adverse impacts (IROPI process), (c) Objectives BD3 and BD5 already makes provision for the conservation of Natura 2000 sites and NHAs, (d) Section 17.7 already makes provision for sustainable recreational use of natural resources.

Regarding suggested objective BD10 is recommended that this issue be addressed under the heading 'Soils and Geology'

It is considered that the objectives of suggested objective BD11 is addressed in Sections 17.3 and 17.5 of the draft plan ('Biodiversity' and 'Water Systems')

- iv. The suggested wording change is considered acceptable – the provision of a replacement hedge at the earliest stage of any development will minimise the loss to the ecological network and allow longer for the new hedge to re-establish itself.
- v. The list of Sites of Geological Interest included in the draft plan has been provided by the Geological Survey of Ireland and Arklow rock has not been identified by the GSI.
- vi. It is not considered appropriate at this time to identify The Murrough wetlands as an area that will be pursued for a SAAO as no research has been carried out as to the merits and consequences of such a designation on The Murrough. This area is

extensive and such a designation would have wide reaching impacts on a range of activities and landowners. In addition, proposing an 'amenity' use for a designated conservation area seems somewhat contradictory and certainly cannot be considered for inclusion in the plan without having first carried out an 'Appropriate Assessment' under the EU Habitats Directive 1992. Finally, there is a considerable cost and resource issue involved in preparing and managing a SAAO and in the absence of information to the contrary, the limited practical benefits arising from such an order do not appear to justify these costs.

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### **Manager's recommendation**

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Amend Chapter 17 as follows:

#### **Section 17.1 Introduction**

The 'natural environment' encompasses all living and non-living things occurring naturally and are not primarily or solely of human creation, in contrast to the 'built environment'. However, it is ~~virtually~~ impossible to separate the natural environment from human beings as most natural environments have been directly or indirectly influenced by humans at some period in time. Therefore some level of human influence is thus allowable, without the status of any particular landscape ceasing to be "natural".

Wicklow supports a good diversity of natural and semi natural habitats such as marine, coastal, wetland, woodland, lake, river and upland environments that in turn support a wide range of wild plant and animal species. This biodiversity provides intrinsic economic and social benefits for the County and contributes greatly to quality of life, recreational, amenity and tourism value. The conservation and management of the natural environment must be viewed as ~~an important~~ ~~a~~ ~~central~~ element in the long-term economic ~~growth~~ and ~~social~~ development of the County. The Council has ~~an important~~ role to play when it comes to promoting a reasonable balance between conservation measures and development needs, in order to avoid negative impacts upon the natural environment, mitigate the effects of harm where it cannot be avoided, and to promote the appropriate enhancement of the natural environment as an integral part of any development. The County Wicklow Heritage Plan provides one framework through which the Council works actively with other partner organisations on initiatives to further our understanding, protection and appreciation of Wicklow's natural heritage resource.

This chapter will also address landscape issues not specifically related to nature conservation, such as landscape characterisation and identification of views and prospects worthy of protection. The recreational use of the natural environment will also be addressed.



**Amend Section 17.3 as follows:-**

**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)

**Amend Section 17.4 as follows:-**

**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.

**Amend Section 17.6 as follows:-**

**17.6 Soils and Geology**

Soil is a complex, variable and living medium and performs many vital functions including food and other biomass production, storage, filtration and transformation of many substances including water, carbon, and nitrogen. Soil has a role as a habitat and gene pool, serves as a platform for human activities, landscape and heritage and acts as a provider of raw materials. Such functions of soil are worthy of protection because of their socio-economic as well as environmental importance. To date, there is no legislation which is specific to the protection of soil resources. However, there is currently an EU Thematic Strategy on the protection of soil which includes a proposal for a Soil Framework Directive which proposes common principles for protecting soils across the EU.

Sites and features of geological importance are non-renewable elements of our natural heritage, contributing greatly to the scientific, visual and conservation value of the landscape. It must also be acknowledged however that our geological resources are an economic asset that can be exploited. Therefore this plan will aim to protect unique geology or geological features of importance and to allow the exploitation of our geological resources in an environmentally sensitive manner.

The Geological Survey of Ireland is undertaking an assessment of geological features of value and these sites are to be proposed for designation as 'Geological Natural Heritage Areas'. These sites are referred to as 'Areas of Geological and Geomorphological Interest' in this plan, pending national designation and are located in Schedule 17.7 and Map 17.07 (Volume 2) of this plan.

### **Objectives**

**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.

### **Add new Section after Section 17.6 Geology**

#### **17.7 Green Infrastructure**

To ensure the protection, enhancement and maintenance of the natural environment and recognise the economic, social, environmental and physical value of green spaces through the development of and integration of Green Infrastructure (GI) planning and development in the planning process.

### **Objectives**

- 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.
- 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.

## **Implementation & monitoring**

### **Issues raised**

- i. The draft development plan does not include any implementation and monitoring measures. This approach does not accord with DoEHLG Development Plan Guidelines. Therefore the plan should include a new section entitled 'Implementation & monitoring'
- ii. The draft plan should be reviewed to ensure that its policies and objectives are crafted in such a way as to allow them to be readily assessed and appraised for implementation.
- iii. The draft plan should include a 'Sustainability Matrix' as an implementation tool in the assessment of all planning applications for development. A 'Sustainability Matrix' should be developed with reference to best practice national and international examples and included within the draft plan

### **Manager's opinion**

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- i. It is recommended that the plan include a section on implementation and monitoring. This should be a new chapter at the end of the written statement
- ii. As far as practicable, every effort has been made to craft objectives that are specific, measurable, achievable and realistic
- iii. The principle of 'sustainable development' is at the core of this plan and the plan contains considerable guidance on development standards, all crafted with a view to improving the sustainability. Bringing all of these standards together into a further document as a 'sustainability' matrix would only unnecessarily expand the plan.

### **Manager's recommendation**

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#### **Add new Chapter 19 'Implementation and monitoring'**

#### **Chapter 19 'Implementation and monitoring'**

##### **19.1 Introduction**

Wicklow County Council is committed to securing the implementation of the strategies, policies and objectives of this plan.

## **19.2 Implementation**

Wicklow County Council will collaborate with relevant agencies and authorities to progress and expedite the implementation of the plan and will retain a development plan team to oversee and progress the implementation of programmes arising out of the plan.

Implementation of the plan will be achieved by:-

- Investment in infrastructure underpinning the development objectives of the plan. In this regard, the 'core strategy' of the plan shall set the priorities for the provision and improvement of infrastructure by both the Local Authority and other agencies, subject to the availability of funding;
- Integrating the strategies, policies and objectives of the plan with lower order plans such as local area plans, town and district plans, action area plans and master plans. Following the adoption of this County Development Plan, a programme of review of local plans will be commenced;
- Application of the objectives and standards of this plan in both Local Authority development but also in the assessment of all applications for development consent.
- Ongoing monitoring of the strategies, policies and objectives of the plan and identifying any needs for adjustment of objectives over the lifetime of the plan and in future reviews

## **19.3 Monitoring**

### **Plan objectives**

As far as practicable, every effort has been made to craft objectives that are specific, measurable, achievable and realistic. All of the objectives of the plan have been written with the specific aim of fulfilling the 'Core Strategy' of the plan and its associated 10 'Strategic Goals' as well as the 15 environmental objectives as set out in the Strategic Environmental Assessment.

### **Performance indicators**

The measurement of the success of the implementation of the 'core strategy' and the associated 10 'strategic goals' of the plan will be a complex process, as a wide number of actions will be required to secure each goal. Table 19.1 at the end of this chapter set out the major performance indicators under each goal. As planning now requires to be 'evidence based', performance indicators will be based on known sources of data, such as the Census (a Census will be carried out in 2011 with results available in 2012, around the same time as the 2 year review).

The progress on achieving the environmental goals as set out in the Strategic Environmental Assessment will be monitored as set out in Section 10 of the Strategic Environmental Assessment 'Monitoring Measures'

### Statutory 2 year review

The development plan will be reviewed after 2 years and a progress report will be prepared on the achievements in securing the objectives of the plan.

### 19.4 Collaboration and engagement

The implementation of this plan requires the cooperation and participation of all stakeholders and Wicklow County Council will undertake a leadership role to progress and secure the implementation of the plan. In providing leadership role, the Council will aim to foster a collaborative approach with citizens, communities, stakeholders, sectoral interests, partners, Governmental and Non-Governmental agencies and adjoining authorities to achieve collective support and successful implementation of the plan.

<i>Strategic Goal</i>	<i>Performance Indicators</i>
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.	<ul style="list-style-type: none"><li>Population growth in the County is channelled into the appropriate growth settlements in accordance with Plan</li><li>Reduction in proportion of County population resident in unserviced rural areas</li></ul>
To facilitate and encourage the growth of employment, enterprise and economic activity in the County, across all economic sectors and in all areas.	<ul style="list-style-type: none"><li>Family income</li><li>Unemployment rate</li><li>Take up of new employment land</li><li>Increase in rates base reflecting growth in commercial properties</li><li>Diversification in employment sectors</li></ul>
To integrate land use planning with transportation planning, with the dual aim of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, and facilitating the delivery of improved public transport.	<ul style="list-style-type: none"><li>Reduction in commuting distance and time to work and school</li><li>Increase in use of public transport services</li></ul>
To enhance existing housing areas and to provide for high quality new housing, at appropriate locations and to ensure the development of a range of house types, sizes and tenures in order to meet the differing needs of all in society and to promote balanced communities.	<ul style="list-style-type: none"><li>Number of new houses provided in each settlement and rural area</li><li>Number of areas / houses refurbished in the Local Authority housing stock</li><li>Quality of new housing with regard to design, proximity to services, energy efficiency, green amenity</li><li>Range of house types and size provided</li></ul>

To maintain and enhance the viability and vibrancy of settlements, to ensure that towns and villages remain at the heart of the community and provide a wide range of retail, employment, social, recreational and infrastructural facilities.	<ul style="list-style-type: none"><li>Population growth in settlements</li><li>New retail and employment provision in settlements</li><li>Reduction in vacant or derelict premises or sites</li><li>Increase in engineering and social infrastructure</li></ul>
To protect and enhance the County's rural assets and recognise the housing, employment, social and recreational needs of those in rural areas	<ul style="list-style-type: none"><li>Environmental quality data (EPA / WCC)</li><li>Reduction in travel distance to work / school</li><li>Diversification in farming and generation from the land of alternative income from farming</li></ul>
To protect and improve the County's transport, water, waste, energy and communications infrastructure, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna or other natural features	<ul style="list-style-type: none"><li>Delivery of key infrastructural requirements as identified in Section C of the plan</li><li>Overall quantum of new infrastructure delivered</li><li>Growth in broadband coverage in the County</li><li>Number of alternative energy projects delivered</li></ul>
To promote and facilitate the development of sustainable communities through land use planning, by providing for land uses capable of accommodating community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups, in tandem with the delivery of residential and physical infrastructure in order to create a quality built environment in which to live.	<ul style="list-style-type: none"><li>Take up of community / education / institutionally zoned land</li><li>Number of new educational / childcare facilities provided</li><li>Number of new leisure / recreational facilities provided</li><li>Number of social infrastructure audits carried out as part of development proposals and number of projects delivered by private developers through this and the action area / master planning process</li><li>Number of houses in the County more than 1km from community 'hub'</li></ul>
To protect and enhance the diversity of the County's natural and built heritage	<ul style="list-style-type: none"><li>Improvement in water quality</li><li>Maintenance of extent and quality of protected habitats</li><li>Number of protected structures lost or damaged</li><li>Number of protected structures rescued and revitalised</li><li>Access to heritage sites</li></ul>
To address the climate change challenge, as a plan dynamic, throughout the County Plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives.	<ul style="list-style-type: none"><li>Increase / decrease in energy efficiency, (if statistics available)</li><li>Expansion of renewable energy generating sector</li><li>Occurrence of flood damage</li></ul>

#### 4.3 DEPARTMENT OF EDUCATION & SCIENCE

##### Issues raised

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This submission provides information on the manner in which the Dept calculates the demand for school places and advice on the location and design of new school sites.

It also provides more detailed analysis of the new demand for primary and post primary places that would arise by 2016 and 2022 given the population targets for each settlement as set out in the draft County Development Plan.

##### Manager's opinion

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The draft development already includes a number of objectives with regard to the provision, location and design of primary and post primary education, which will facilitate the implementation of the strategy of the Department of Education & Science, in particular:

**ED1** *To facilitate the provision of schools by zoning suitable lands in Local Area Plans capable of meeting the demands of the projected populations. Prior to the identification of lands for primary and secondary school provision the Council shall consult with the Forward Planning and Site Acquisition and Management sections of the Department of Education.*

**ED2** *Where lands are zoned for educational use, to promote and facilitate the development of facilities that provide for linkages between schools types. For example, particular encouragement will be given to primary and secondary school campuses, the linking of pre-school services with primary schools and the linking of secondary schools with vocational training facilities*

**ED4** *Where practicable, education, community, recreational and open space facilities shall be clustered. However schools shall continue to make provision for their own recreational facilities as appropriate.*

##### Manager's recommendation

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No change

#### 4.4 DUBLIN CITY COUNCIL - QUALITY BUS NETWORK PROJECT OFFICE

##### Issues raised

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This submission is from the Quality Bus Network project Office of Dublin City Council, which was established to take over responsibility for the delivery of bus priority measures in the Greater Dublin Area. This office is currently working with Wicklow County Council on the design of the Bray Quality Bus Corridor and bus priority measures on the N11/M11.

The following suggestion is made with regard to Objective PT6, Chapter 11 (p135)

**PT6** To pursue the provision of a bus priority scheme on the N11 / M11 from Rathnew to the County boundary at Bray, *including*

- *Provision of improved bus interchange facilities at Kilmacanogue Village*
- *Upgrading facilities for bus passengers and the Mobility Impaired and Disabled*
- *The introduction of real time passenger information at bus stops*
- *The introduction of a Quality Bus Corridor from Kilmacanogue / Glen of the Downs to the County boundary at Bray*

##### Manager's opinion

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While the suggested additional text is noted, it is not considered necessary or appropriate to include same, as it could potentially narrow down the options for a bus priority scheme on the N11 / M11. In particular, if other effective measures are formulated or become feasible that achieve the same ends, but are not listed in the plan, they may be considered 'non-compliant' with the development plan.

##### Manager's recommendation

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No change



#### **4.5 DUBLIN TRANSPORTATION OFFICE**

##### **Issues raised**

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The DTO is currently preparing a new Transport Strategy for the Greater Dublin Area for the period 2010-2030. It is intended that the Transport Strategy will be completed and published during 2010. As part of this process, the final vision and objectives have been agreed by the Strategy Steering Group. These have been used to inform the DTO's comments on the draft Development Plan.

##### **Population, housing & settlement strategy**

- i. In the light of recent trends, the short- to medium-term population and housing growth projections contained within the draft Development Plan would seem unrealistic. In turn, the extent of residential zoning (23,488 units) would seem to be well in excess of that likely to be required for the Development Plan period.
- ii. Whilst no further land is proposed to be zoned for residential development, there is a legacy of zoned residential land located in peripheral areas in Wicklow, with limited potential to be serviced by public transport. The potential that this legacy has to undermine the basis for development consolidation, in particular, focused on higher order urban centres and existing or proposed public transport corridors, needs to be counterbalanced with a sequential approach to development.
- iii. More specifically, the DTO would recommend that development be focussed into the Metropolitan area (Bray, Greystones) and the two hinterland towns of Wicklow and Arklow. The servicing of land for substantial development elsewhere should be restricted. The DTO would not consider the elevation of Baltinglass and Rathdrum to Moderate Growth Towns to be compatible with this objective.
- iv. The 50% headroom residential zoning figure in the draft Development Plan is of concern. It undermines the potential for consolidation of population within a limited number of growth towns and their expansion on a sequential basis. The requirement for a second headroom figure for towns in 2016 & 2022 needs to be explained in the Plan.

##### **Enterprise & employment**

- v. The DTO welcomes the inclusion of policies which seek to relate particular economic sectors or established industries to specific locations.
- vi. "People" intensive employment should be located in the larger growth centres.
- vii. The DTO would consider the linking of employment to population growth to be a key factor in addressing the level of long distance commuting from Wicklow.
- viii. In the light of recent trends, employment projections relating to the Plan period would not appear to be realistic.

- ix. If employment does not grow as envisaged in the draft Development Plan, there could be an increase in the jobs ratio within the county, potentially increasing long-distance commuting. The population and employment targets need to be reassessed.

#### **Roads and transportation**

- x. All transport infrastructure should be planned for on the basis of integration between modes, the integration of land-use and transport planning, the optimisation of public transport mode share for a range of trip purposes, the promotion of walking and cycling for local trips and the consolidation of development.
- xi. It is recommended that a countywide cycle network be developed.
- xii. The cycle parking standards within draft Development Plan should be reviewed to reflect national cycle policies.
- xiii. The DTO recommends that car parking provision for new developments be directly related to proximity to existing and future public transport. More specifically, it should also be based on criteria such as a hierarchy of public transport accessibility, proximity to town centres and mix of uses, where complementary land uses can facilitate shared car parking, for example, between uses with different trip patterns. The Development Plan car parking standards should reflect these criteria
- xiv. The car parking standards in the draft Development Plan should be adjusted to reflect the proposed maximum regional parking standards in the Greater Dublin Demand Management Study (GDDMS).

#### **Manager's opinion**

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- i. The County Development Plan is required to be consistent with higher order plans and guidelines as well as the policies of Government. While it is recommended to amend Chapter 3 and 4 in light of new data available since the publication of the draft plan, the population targets set out by the Spatial Policy Unit of the DoEHLG and the Regional Authority (as set out in the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022) will be adhered to in the plan. Furthermore, Development Plans have to accommodate medium to long term requirements and cannot be ruled by short term events influenced by the vagaries of the economic cycle.  
  
With regard to the quantity of zoned land, as set out in Chapter 3 of the draft plan, there is existing zoned land in settlements in the County to theoretically accommodate housing growth of c. 37,000 units. However, the growth target up to 2022 for the same towns is only in the order of 28,000. This additional zoning is required to be maintained as a significant amount of this land is not serviced and may not be serviced during the plan period, and certainly not more than 17,000 units will be serviceable up to 2014.

- ii. There are 17 settlements in Wicklow that have development plans and therefore zoned land. Of these, 13 are designated growth towns (Blessington is also growth town, but does not have a development plan at present). All but 3 of the 14 principle growth towns in the County *have the potential* to be served by good public transport:-

- 6 are on a mainline railway route, (Bray, Wicklow, Arklow, Greystones, Rathdrum, Kilcoole),
- 3 more are located a short feeder bus journey of a mainline railway station (Enniskerry, Newtownmountkenedy, Ashford),
- 10 of the 14 are located in very close proximity to a national road, with the potential to good bus linkages to the metropolitan area.

The only growth towns that are lacking in this connectivity are Aughrim, Tinahely, Carnew, all located in the same geographical region of the County. In reflection of this, these towns are not designated for high levels of growth.

It is necessary to allow for some growth in towns that are not well served by public transport, to allow for a balanced settlement strategy, that gives people choices in where to live, allows family and social connections to be maintained and spreads growth and prosperity throughout the County. It is not considered acceptable that all growth in Wicklow should be directed towards those towns on the mainline rail system for example, as this would lead to very unbalanced growth and serious decline outside of the eastern seaboard settlements, contrary to Government policy regarding the maintenance of population in declining areas.

- iii. With regard to the future spread of population, this plan will comply with the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022 in that 42% of the population growth allocated to the County will be directed in the metropolitan settlements, with approximately 50% of the remainder directed to the growth towns.

The redesignation of Rathdrum and Baltinglass as moderate growth towns in the proposed settlements hierarchy has been reconsidered in light of the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022 and the submissions of various bodies / individuals. In this regard, it is recommended that these two settlements be redesignated 'small growth towns' but with clear acknowledgement of their different role to the smaller towns in this category.

- iv. The calculations set out in Chapter 4 of the draft plan have been re-evaluated in light of this and other submissions.

- The first figure referred to by the DTO is the 50% headroom figure stated on Page 21 under Table 4.3E. This refers to the amount of additional housing land zoned in excess of population target requirements. The 2016 population target for the 17 settlements with zoned land is 132,050 persons - this will require 51,582 housing units. In 2006, the population of these same towns was 86,676 - with 29,991 existing

housing units. Therefore there is a need to allow for the provision of c. 23,000 new housing units up to 2016 (this allows for reducing household size and an 'excess factor' of 6%). The development capacity of the zoned housing land in these settlements is c. 23,500 units, with available 'town centre' sites possibly accommodating a further 6,500 units. Therefore there is capacity for approximately 30% more growth than required (the draft plan incorrectly stated this as 50%). Whatever the proportion, the justification for a surfeit of zoned land is clearly explained in the plan, being the fact that a large quantum of this zoned land is not serviced. Up to 2014, only 743ha is serviceable, which equates to c. 17,000 units. The future of serving further lands beyond 2014 is unclear and given the current restrictions in funding for the servicing land, it is most unlikely that this number of new housing units would be delivered by 2014. In fact, 2016 or indeed 2018 may seem more likely. Therefore it is not considered that the 30% surplus undermines any core objective or national / regional strategies.

- The second figure referred to is that described as 'headroom' in Table 4.4 (Page 27). While the terminology used is the same, the meaning is slightly different and this will be addressed by the amendments proposed to Chapter 4 as set out in Part 3 of this report. In accordance with national and regional strategies, it is intended that the proportion resident in settlements in the County will increase over time. In this regard, it is the strategy of the plan to increase this proportion to 75% by 2016 and 77% by 2022 (from 70% in 1996). In 2016, this will require that c. 124,000 persons reside in the 21 designated towns in the County. However, when totalled up, the plan does allow for a total growth in these 21 towns of 138,050 persons i.e. an excess of 11%. Similarly, for 2022, the excess will be 15%. The excess is required because it is extremely unlikely and in fact statistically impossible that every one of these 21 towns will reach their precise population target set out for 2016, due to infrastructural capacities, market factors, and the changing attractiveness of different towns at different times.

- v. Noted
- vi. It is considered that the plan provides for this (see table 7.3 Chapter 7)
- vii. Agreed.
- viii. As set out above in response to item (i), the County Development Plan is required to be consistent with higher order plans and guidelines as well as the policies of Government and have to accommodate medium to long term requirements and cannot be ruled by short term events influenced by the vagaries of the economic cycle. It is national and

regional strategy to expand local employment and reduce unsuitable commuting and while the plan has no direct role in 'delivering' employment opportunities, it has to provide a spatial planning framework that is conducive to the development of employment and it is considered appropriate that the plan sets the highest possible target for employment growth.

- ix. If employment does not grow yet the population continues to grow, it is agreed that the overall result will be a lower jobs ratio. It is the purpose of such a land use plan to put in place a framework to effectively manage growth so such imbalances do not occur. In this regard, while a number of the employment creating mechanisms available to a state and other agencies are outside the remit of this plan, a spatial plan plays an important role in fostering employment such as (a) providing for a critical mass of population in certain towns to make them more attractive places for the locating of new enterprises, (b) providing for zoned land for a range of employment types, (c) providing a framework for the development of home based businesses, rural enterprises, tourism projects and retail development, (d) providing a framework for the delivery of infrastructural improvements i.e. leading the way for infrastructure providers and (e) allowing for the 'locking in' of the development of residential land with the development of employment land.
- x. Noted. This an objective of the plan.
- xi. This not an objective of the draft plan, as inadequate research has been carried out to date to evaluate the feasibility and cost of same. The draft plan does however include objectives to
  - improve or provide new cycleway on existing roads, as funding allows (CW1),
  - Require all new regional, local distributor and local collectors roads to be provided with cycleways (CW2)
  - Facilitate the development of off-road cycle routes (CW3)
  - Facilitate the development of a coastal cycling route (CW5)These objectives provide a framework for the Roads and Transportation section of the Council to develop such a project.
- xii. The bicycle parking standards set out in the draft plan have been reviewed in relation to the standards set out in (draft) National Cycle Manual (DTO June 2009) and it is recommended that standards be slightly amended.
- xiii. The draft plan includes car parking standards, as is the norm, in order to guide the design of new developments. It does not set out different standards for different locations, but rather for different use types. It is noted that car parking provision should

be effectively managed where public transport is available, to discourage the use of the private car. While the plan does allow for 'deviations' from the car parking standards include in the plan in situation where public transport is available, it does not specifically encourage deviations in these situations. It is considered that this should be addressed in the plan.

xiv. The amendment proposed of foot of point (xiii) above also addresses this issue.

#### **Manager's recommendation**

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**Amend the plan as follows:-**

**Amend Chapters 3 and 4 as set out in Appendix 1 of this report**

**Amend Chapter 11 as follows:-**

#### **11.5 Parking**

Parking policy is an important element in an authority's overall planning and transport policy. The level of car parking provided, its location, fee structure and enforcement levels can all have a considerable effect on car use and traffic flow patterns. The availability of convenient and affordable parking in an area can influence people's decision on their mode of travel and has the potential to be a powerful travel demand management tool. An off-street parking policy should recognise the role that the provision or otherwise of additional parking spaces can play in encouraging or discouraging travel by car. If demand management policies are being implemented then a reduction in the number of parking spaces may be desirable in congested urban areas with parking enforcement. Planning policy may seek to limit the number of parking spaces provided for new developments.

#### **Parking objectives**

**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.

Amend Section 11.7.3 as follows:-

**Table 11.3 Bicycle Parking Standards**

Type of Development	Cycle Parking Standard
<del>Apartments</del> Residential units	1 space per bedroom + 1 visitor space per 2 units
Shops	1 space for every <del>200 m<sup>2</sup> of gross floor space</del> car space
Supermarkets / large stores	<del>1 space for every 200 m<sup>2</sup> of gross floor space</del> 10% of total car spaces subject to a minimum provision of 50 spaces
Offices	<del>1 space for every 500 m<sup>2</sup> of gross floor space</del> 10% of employee numbers subject to minimum of 10 bicycle places or one bike space for every car space, whichever is the greatest.
Industry / warehousing	<del>1 space for every 500 m<sup>2</sup> of gross floor space</del> 20% of employee numbers
Warehousing	<del>1 space for every 1000 m<sup>2</sup> of gross floor space</del>
Theatre, cinema, church, stadium	1 space for every 100 seats
Hotels, guest houses	1 space per 50 bedrooms
Lounge bars	1 space for every <del>200 m<sup>2</sup> of public floor space</del> car space
Restaurants	1 space for every <del>200 m<sup>2</sup> of public floor space</del> car space
Function-room, dance halls, clubs	1 space for every <del>200 m<sup>2</sup> of public floor space</del> car space
Playing fields	<del>4 spaces per pitch</del> 1 space for every 3 players
Schools	<del>1 space per 50 pupils</del> 10% of pupil registration numbers/minimum of 10 spaces
Nursing homes	<del>1 space per 20 members of staff</del> 20% of employee numbers
Multi-Storey Car Parks	10% of total car spaces/minimum provision of 50 spaces
Public Transport pick up points/interchanges	2.5% of number of daily borders at that point/station, minimum of 10 bicycle spaces

#### **4.6 EASTERN REGIONAL FISHERIES BOARD**

##### **Issues raised**

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The Eastern Regional Fisheries Board (ERFB) is a statutory body with a remit encompassing the management, conservation, protection, development and improvement of the fisheries within its region.

- i. Section 12.3 'Water supply & demand' - Drinking water source / river abstraction schemes should be environmentally sound and sustainable and should not compromise objectives as set out in Fisheries and Water Framework Directive Legislation. It is vitally important that the Fisheries Service is involved at as early a stage as possible in future surface and ground water abstraction proposals.
- ii. Section 12.4 'Wastewater' - It is vital that sufficient treatment capacity be available both within the receiving sewerage systems locally and downstream at the relevant waste water treatment plants over the full duration of the plan in order that the ecological integrity of the ultimate receiving waters are protected. The ERFB highlights the importance of building a comprehensive and robust assessment of both local infrastructural needs and Local Authority capacity to meet those needs into the CDP and subsequent Local Area Plans. Should the relevant WWTPs fail to provide expected capacities during the life of the CDP, the ERFB highlights the unacceptable risk of associated significant environmental effects resulting from local development.
- iii. Section 17.3 'Biodiversity' - Lands adjacent to surface waters, particularly salmonid systems, should be designated as areas of open preservation, allowing protection / enhancement of biological diversity while providing open space and recreational amenity for river users (Note: Rivers Dargle and Vartry are EU designated salmonid systems). The ERFB would welcome the development of a 'Green corridors' strategy for the Council, to encourage integrity and connectivity between important sites such as waterways and woodlands, but also to link such sites to linear parks / amenity areas along watercourses in towns / villages throughout County Wicklow.
- iv. Section 17.5 'Water Systems' - Objective WT4 is welcomed with regard to controlling the impacts on riparian habitats. However an undisturbed buffer of 10m along watercourses should also be provided with riparian vegetation being retained in as natural state as possible at all times.



- v. Newcastle Town Plan - The Newcastle River which receives treated effluent from Newcastle WWTP supports populations of Brown and Sea trout (both *Salmo trutta*). Thus salmonid waters constraints apply to any development in this area. There should be no deterioration in salmonid status of the Newcastle River as a result of the effluent discharge from this plant.
  
- vi. Climate change - The issue of climate change should be comprehensively considered and integrated into the final CDP. Whilst forecasting data is currently debatable, the consensus is that summer base flows in surface waters within the region will reduce significantly in the short term. The CDP will afford an opportunity to address the key issue of ecological sustainability inherently associated with this scenario. A new and dynamic approach will be required to ensure the sustainability of both current and future practices regarding surface and ground water management e.g. abstraction for irrigation, potable water supply, effluent discharge etc. The water resources potentially impacted by development in the region have been assessed and characterised under the Water Framework Directive process. The CDP must address the need to meet WFD objectives for all surface waters in the region. All guidelines should be informed by fisheries and other relevant legislation.

#### **Manager's opinion**

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- i. This is a matter for the Environmental and Water Services Section of the Local Authority, rather than a strategic land use plan. In the development of new water sources, the Water Services Section must comply with all their obligations under EU and national legislation including the Water Services Act, the Water Framework Directive, the Groundwater Directive, the Habitats Directive, the relevant river basin management plans and the Groundwater Protection Scheme, and other legislation, strategies and policies.
  
- ii. The Local Authority as a matter of course and in recognition of its obligations under the Water Services Acts monitors the cumulative effect of grants of planning permission on available waste water treatment capacity under the terms of the relevant Waste Water Discharge License and where inadequate capacity is available, does not grant permission unless additional capacity is to be provided during the lifetime of any permission. It is recommended that additional text be added to Objective WW2 to this effect.
  
- iii. It is considered that various objectives of Chapter 17 address this concern, particularly Objectives WT1-5. The protection of the Slaney, Vartry and Dargle systems is

specifically included in the ERBD and SERBD and it is considered sufficient that the implementation of these plans be an objective of the County Development Plan. It is recommended that the plan includes a section of 'green infrastructure'.

- iv. This suggestion is noted and considered reasonable
- v. This is partially addressed under point (ii) above.  
With regard to the salmonid status of the Newcastle River, the Water Framework Directive requires that the quality of water bodies does not deteriorate and in fact that quality improves moving forward. The implementation of the WFD through the river basin management plans, which is an objective of this plan, will ensure no deterioration of the Newcastle River.
- vi. Climate change is a difficult issue to address comprehensively, but with regard to the particular concerned expressed regarding impacts on the flows in watercourses, it is considered that the implementation of the Water Framework Directive, along with other legislation such as the Water Services Act, the Habitats Directive, the Groundwater Directive etc, which is an objective of this plan, will control the quality of the water systems in the County.

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#### **Manager's recommendation**

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**Amend the plan as follows:-**

#### **Chapter 12 Water**

#### **Section 12.4 'Waste Water'**

Add new text onto Objective WW2 as follows:

**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

## Chapter 17 Natural Environment

Amend Section 17.2.3 as follows (Note: Some of the changes set out here are also on foot of other submissions, notably submission No. 7 from the EPA to follow)

### 17.2.4 Water Framework Directive 2000 & Groundwater Directive 2006

The EU Water Framework Directive (WFD) is an important piece of EU environmental legislation which aims at improving our aquatic environment. It requires governments to take a new holistic approach to managing their waters. It applies to rivers, lakes, groundwater, estuaries and coastal waters. The Groundwater Directive complements the WFD by establishing environmental objectives for groundwater chemical status and ensuring continuity with previous Groundwater Directives. These directives aims to achieve good ecological status in all waters by 2015, protect high ecological status in our pristine waters and must ensure that status does not deteriorate in any waters. Local Authorities are charged with implementing the Water Framework and Groundwater Directive objectives.

For the purpose of implementing the WFD, Ireland has been divided into eight river basin districts or areas of land that are drained by a large river or number of rivers and the adjacent estuarine / coastal areas. The management of water resources will be on these river basin districts. The Plan area is located in both the Eastern River Basin District (ERBD) and South Eastern River Basin District (SERBD). Within each River Basin District - for the purpose of assessment, reporting and management - water has been divided into groundwater, rivers, lakes, estuarine waters and coastal waters which are in turn divided into specific, clearly defined water bodies. River Basin Management Plans list the current status of our waters and detail the measures required to bring those failing back to good status and maintain the high status of our pristine sites.

Twenty-seven Draft Management Plans for the Freshwater Pearl Mussel have also been prepared, the objective of which is to restore the freshwater pearl mussel populations in 27 rivers, or stretches of rivers that are within the boundaries of Special Areas of Conservation. The Derreen Sub-Basin Management Plan is partially located in County Wicklow, the Derreen being a tributary of the River Slaney.

### Objective WT1

- 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.

### Section 17.5

- 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"*
- 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.

### Add new Section after Section 17.6 Geology

#### 17.7 Green Infrastructure

To ensure the protection, enhancement and maintenance of the natural environment and recognise the economic, social, environmental and physical value of green spaces through the development of and integration of Green Infrastructure (GI) planning and development in the planning process.

#### Objectives

- 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.
- 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.

#### **4.7 ENVIRONMENTAL PROTECTION AGENCY**

This submission relates to general environmental considerations but also to the integration of the SEA finding with the plan policies and objectives.

##### **Chapter 1**

##### **Issues raised**

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- i. A clear statement should be provided as to the function of the County Development Plan and what the plan can and cannot do. Where other plans / programmes / strategies are responsible for implementing relevant policies / objectives / initiatives, these should be acknowledged and fully referenced in the plan
- ii. The plan should highlight that under EIA and Planning & Development Regulations certain projects may require an EIA
- iii. The plan should include a specific requirement to ensure full compliance with the Strategic Environmental Assessment Directive

##### **Manager's opinion**

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- i. It is considered that Chapter 1 of the draft plan clearly sets out the role of the plan and the framework in which it is crafted and will operate, namely under the provisions of the Planning & Development Acts 2000-2008. Given the quantity of primary and secondary legislation, as well as regional and local policies / programmes, that is in place with regard to environmental protection in general, it would render the plan particularly cumbersome and impenetrable to list all such document and set out the role and responsibilities of each. National primary and secondary legislation requires to be complied with – it is not the responsibility of a land-use plan to ensure that all such laws are complied with. However, the plan does set out, particularly in the chapters relating to water, habitats and the natural environment, the key pieces of EU and national legislation that relate to each topic.
- ii. As a strategic plan, it is not the purpose of this document to provide guidance on the making of a planning application. Any primary and secondary legislation relevant to the making and assessment of any application must be adhered to, and therefore it is not necessary to include a policy or objective in the plan setting out the EIA requirements for applications. The legislation clearly sets out where an EIA may be required and what an EIA must address.

- iii. The Strategic Environmental Assessment Directive is implemented in Ireland through the Planning & Development (Strategic Environmental Assessment) Regulations 2004. It is not considered necessary to insert a policy / objective in the plan requiring compliance with this national legislation that must be complied with in accordance with these regulations.

**Manager's recommendation**

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No change

## **Chapter 2 'Context'**

### **Issues raised**

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The plan should make reference to and include relevant policies and objectives to address the 'Main Environmental Challenges' for Ireland set out in Chapter 16 of the EPA's 'Ireland's Environment 2008'

### **Manager's opinion**

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In their report of 2008, the Environmental Protection Agency sets what it considers to be the main environmental challenges facing Ireland as follows:

- Limiting and adapting to climate change
- Reversing environmental degradation
- Mainstreaming environmental considerations
- Complying with environmental legislation and agreements.

It is considered that the draft plan as crafted fully addresses these concerns, insofar as the remit of land-use plan. In particular, the draft plan provides strategies, policies and objectives relating to

1. Managing population growth and associated environmental impacts of unbridled extension of development
2. Transportation, in particular the reduction of vehicular movements and the freer flow of traffic to reduce emissions
3. Reducing generally the production of wastes including soil and liquid wastes, wastewater and emissions to the atmosphere
4. Renewable energy and reduction in fossil fuel dependency
5. Sustainable housing design, which reduces demands for finite resources and creates fewer environmental impacts and emissions
6. Reducing flood risk and adapting to the potential of increased flood risk due to climate change
7. Protection of water, soil and geological resources
8. Protection of natural habitats and species therein, including both protected and non-protected sites

Furthermore, by carrying out a Strategic Environmental Assessment and integrating the findings of same into the plan making process, environmental considerations have been brought to the core of the land-use planning process.

### **Manager's recommendation**

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No change

## **Chapter 7 'Enterprise and Employment'**

### **Issues raised**

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#### **Section 7.4.2 Objectives for enterprise & employment**

Objective EMP 8 which encourages the use of brownfield sites for employment development should include a provision requiring appropriate investigations to determine the nature / extent of any soil / groundwater contamination and the risk associated with development

### **Manager's opinion**

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While only a small number of 'brownfield' sites are likely to have suffered or caused significant contamination, the manner in which potentially contaminated land should be addressed at planning application stage is recommend to be included in Chapter 13 'Waste & Environmental Emissions' under the 'Development Standards' section.

### **Manager's recommendation**

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Amend the draft plan as follows:

## **Chapter 13 'Waste & Environmental Emissions'**

### **Section 13.8 'Development Standards'**

#### **Add new Section 13.8.8 'Contaminated land'**

Applications for the development of sites where soil or groundwater contamination is evident or is known to have occurred, or sites where a previous or current activity is at high risk of causing contamination, shall be accompanied by such documentation and investigations as appropriate to identify the nature and extent of the contamination and necessary measures required to contain and redress previous contamination and to prevent new contamination.



## **Chapter 8 'The Rural Economy'**

### **Issues raised**

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#### **Section 8.3.2 'Agriculture'**

The plan should include an objective requiring the implementation and enforcement of the EC (Good Agricultural Practice for Protection of Waters) Regulations 2009

### **Manager's opinion**

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While reference is made in the draft plan to compliance with the Nitrates Directive, no reference is made to these regulations. This should be addressed in the plan.

### **Manager's recommendation**

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Amend the plan as follows:

#### **Chapter 8 Section 8.3.2 'Agriculture'**

Amend Objective AGR4

**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.

## Chapter 9 'Tourism & recreation'

### Issues raised

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The plan should promote, where relevant and appropriate, long term and sustainable planning for tourism e.g. the Wicklow Way, Glendalough

### Manager's opinion

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The plan includes an entire chapter on tourism, with the key aim of facilitating the growth and improvement of this sector, in a sustainable manner.

In particular, it is the stated objective of the draft plan to '*promote, encourage and facilitate the development of the tourism and recreation sectors in a sustainable manner. This means that the Council will permit the development and maintenance of tourism and recreation developments which help generate income and employment for locals, so long as the development is in a manner and at such a scale that it remains viable over an indefinite period and does not degrade or alter the natural and built environment or the local culture in which it exists*' (Objective TR1, Section 9.3.1).

The draft plan does not directly address the tourism development of the specific places or features such as the Wicklow Way or Glendalough as this is a high level strategic plan that provides strategies, policies and objectives relevant to the entire County, leaving more localised policies / objectives to local plans

### Manager's recommendation

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No change

## **Chapter 11 'Roads & transportation'**

### **Issues raised**

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- i. The plan should promote the integrated planning for adequate and appropriate transport infrastructure to service any development proposed and authorised during the lifetime of the plan
- ii. The plan should promote and provide for sustainable modes of transport
- iii. The plan should promote the development of traffic management measures to reduce potential for traffic congestion and vehicular emissions, in particular, the preparation of Integrated Traffic Management Plans, where relevant and appropriate, for existing urban areas and new urban development should be promoted in the plan

### **Manager's opinion**

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Not only does the plan include an entire chapter on transportation, which addresses the issues raised, but the integration of land-use and transport planning as set out at the very start of the plan as a 'Strategic Goal' for the future development of the County.

In particular, it is the stated strategic policy of the plan to:

- 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;
- 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

With regard to Integrated Traffic Management Plans, it is unclear if the EPA is referring to IFPLUTS / LUTS studies (integrated framework plans for land-use and transportation studies) or to general traffic management. IFPLUTS / LUTS studies have been completed for Bray, Greystones, Wicklow and Arklow and the recommendations contained therein have been carried forward into the relevant development plans. These plans will be reviewed where considered necessary. At this time, it is not considered that further studies are required to be carried out for smaller settlements having regard to the population and traffic volumes evident in the smaller towns. In these regards therefore it is not considered appropriate to include an objective to carry out new / further IFPLUTS / LUTS.

With regard to traffic management, the new National Transport Authority has been charged with preparing a traffic management plan for the Greater Dublin Area so as to ensure a consistent approach across all local authority areas, including during construction works for

major infrastructure projects. Most traffic management functions will continue to be discharged by the local authorities within the strategic framework provided by the Authority. However, the Authority will be able to decide to carry out certain functions itself if it judges this to be more effective and to give directions to local authorities. In this regard, the Roads Authority of Wicklow County Council is responsible for evaluating the need for and implementing traffic management measures and it is not necessary to include an objective in the County Development Plan requiring this section to carry out its functions. With regard to new developments, the draft plan has detailed criteria for new road design and traffic impact assessments, in order to address at the application stage any potential traffic management issues.

#### **Manager's recommendation**

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No change

## Chapter 12 'Water Infrastructure'

### Section 12.3 'Water supply & demand'

#### Issues raised

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- i. The plan should implement the EC (Drinking Water)(No.2) Regulations 2007 and should include a policy / objective reflecting the requirements and recommendations of "*The provision and quality of drinking water in Ireland – A report for the years 2007-2008*"(EPA 2008)
- ii. The plan should take account of relevant 'groundwater source protection zones' data available from the GSI
- iii. Objective WS1 should be expanded to include specific objectives for the improvement of any water supplies in the Wicklow area, in particular those water supplies that are included on the Environmental Protection Agency's Remedial Action List for 2007-2008
- iv. Objective WS1 should make reference to facilitating the implementation of future 'Strategic Water Services Plans'
- v. Objective WS1 should be expanded to refer to capacity, performance, the potential risk to human health, water quality / quantity, impacts on habitats / species of water supply systems and should ensure that appropriate infrastructure is provided in advance of development.
- vi. Objective WS5 should be expanded to include specific measures to conserve water and to develop a 'Water Conservation Strategy'

#### Manager's opinion

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- i. It is not the function of a land-use plan to implement EC or national regulations or to ensure compliance of public, group or private water supplies with relevant EU or national standards or EPA recommendations.
- ii. The draft plan contains a number of objectives relating to the protection of 'groundwater source protection zones' and therefore amendments are not considered necessary; in particular:

Chapter 12, Section 12.3

**WS2** To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.

**WS4** Where connection to an existing public water supply is not possible, or the existing supply system does not have sufficient capacity, the provision of a private water supply will be permitted where it can be demonstrated that the proposed water supply meets the standards set out in EU and national legislation and guidance, would not be prejudicial to public health or would not impact on the source or yield of an existing supply, particularly a public supply.

Chapter 17, Section 17.5

**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 or development that would exacerbate existing underlying water contamination

- iii. Objective WS1 facilitates the implementation of Wicklow County Council Water Services Investment Programme. This programme sets out the Local Authority's plans with regard to water supplies within the lifetime of the programme. This programme is drawn up by the Sanitary Authority having regard to needs and deficiencies identified by both the Local Authority and the EPA. It is not considered warranted to include a list of every water supply improvement plan in the County Development Plan and in this regard, Objective WS1 only lists the major strategic water improvement projects but does indicate that it is also an objective to ensure the provision of *'any other smaller, localised water improvement schemes required during the lifetime of the plan'*.
- iv. Legislation has not as yet been enacted under the Water Services Act 2007 requiring the provision of 'Strategic Water Services Plans'. If and when such legislation is enacted, the Sanitary Authority will be required to comply with same and draw up the required plan. It is not considered necessary to make the provision of such plans an objective of this land-use plan.
- v. Objective WS1 relates to securing the implementation of the Water Services Investment Programme. In drawing up this programme and in the delivery of any project in this programme, the Sanitary Authority must address issues relating to capacity, performance, the potential risk to human health, water quality / quantity and impacts on habitats / species. It is not considered necessary to set out in this plan the parameters for the preparation of water supply programmes or projects.

With regard to the provision of water services in advance of development, in order to comply with relevant EU and national legislation, the Sanitary Authority have detailed data available on capacities of all water and wastewater systems and therefore can evaluate with certainty whether services are or will be available for any proposed development. Planning permissions are not considered where water services are not

available or cannot be provided to the development. Therefore it is not considered necessary to include such an objective in the plan.

- vi. 'Water conservation' refers to reducing the use of water and reducing the waste of water, which is the objective set out in Objective WS5 and therefore it is not considered necessary to amend the wording of this objective. Furthermore, Wicklow County Council has a Water Conservation Unit and a detailed and ongoing water conservation programme. It is not therefore considered necessary to include an objective to provide a 'water conservation strategy'.

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**Manager's recommendation**

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No change

## Section 12.4 'Wastewater'

### Issues raised

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- ii. The plan should include an objective regarding the implementation of
  - the Waste Water Discharge (Authorisation) Regulations
  - the Urban Wastewater Treatment Regulations 2001 / 2004
  - the recommendations of the *"Urban waste water discharges in Ireland for population equivalents greater than 500 persons – A report for the years 2006 and 2007"* (EPA 2000)
- iii. The plan should include specific policies / objectives regarding the provision and maintenance of adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments within the plan area. Where additional lands are being proposed for development in the plan areas, appropriate policies / objectives should be included to promote the assessment of the adequacy of the existing wastewater treatment facilities in terms of both capacity and performance and the potential risk to human health and water quality. Where relevant, the potential impacts on habitats and species of ecological importance should be assessed.
- iv. With regard to private wastewater treatment plants, the plan should include a clear objective for the protection of groundwater resources and associated habitats and species
- v. The plan should have as an objective the development of a wastewater leak detection programme.
- vi. Objective WW1 should be amended to
  - to encourage the implementation of the Wicklow County Council Water Services Investment Programme
  - include any wastewater treatment plants on the Environmental Protection Agency's Remedial Action List, including Donard, Rathdrum, Stratford, Templecarrig, Redcross and Avoca.
  - refer to capacity, performance, the potential risk to human health, water quality / quantity, impacts on habitats / species of wastewater treatment plants and should ensure that appropriate infrastructure is provided in advance of development.



### **Manager's opinion**

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- i. It is not the function of a land-use plan to implement EC or national regulations or to ensure compliance of public wastewater systems with relevant EU or national standards or EPA recommendations.
- ii. With regard to the provision of wastewater services to developed area or areas proposed for development, in order to comply with relevant EU and national legislation, the Sanitary Authority have detailed data available on the current status (capacities, performance etc) of all wastewater systems and therefore can evaluate with certainty whether services are or will be available for any proposed development. The Local Authority as a matter of course and in recognition of its obligations under the Water Services Acts, the Habitats Directive and other legislation monitors the cumulative effect of grants of planning permission on available waste water treatment capacity under the terms of the relevant Waste Water Discharge License and where inadequate capacity is available, does not grant permission unless additional capacity is to be provided during the lifetime of any permission. It is recommended that additional text be added to Objective WW2 to this effect.
- iii. Objectives WW3 (single houses) and WW5 (commercial developments) clearly set out the compliance criteria for private wastewater treatment systems and in particular they require compliance with the Local Authority's environmental criteria (e.g. Wicklow Groundwater Protection Scheme) and the Environmental Protection Agency Wastewater Treatment Manuals.  
  
With regard to protected and non-protected habitats and species, various objectives in Chapter 17 (Natural Environment), particularly Objectives WT1, WT2, BD3, BD4, BD5, BD7 provide sufficient regulation of the impacts of development on habitats and species.
- iv. The identification and remediation of leaks in the wastewater collection system is a function of the Sanitary Authority of Wicklow County Council. It is not considered necessary to include an objective requiring the Sanitary Authority to carry out its functions.
- v. Objective WW1 relates to securing the implementation of the Water Services Investment Programme. In drawing up this programme and in the delivery of any project in this programme, the Sanitary Authority must address issues relating to capacity, performance, the potential risk to human health, water quality / quantity and impacts on habitats / species. It is not considered necessary to set out in this plan the parameters for the preparation of water supply programmes or projects. This programme is drawn

up by the Sanitary Authority having regard to needs and deficiencies identified by both the Local Authority and the EPA. It is not considered warranted to include a list of every wastewater system improvement plan in the County Development Plan and in this regard, Objective WW1 only lists the major strategic water improvement projects but does indicate that it is also an objective to ensure the provision of '*any other smaller, localised wastewater improvement schemes required during the lifetime of the plan*'.

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#### Manager's recommendation

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Amend Chapter 12 as follows:

Section 12.4 'Waste Water'

Add new text onto Objective WW2 as follows:

**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**

## Section 12.6 'Flooding'

### Issues raised

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- i. The plan should include a policy requiring compliance with "*The Planning System and Flood Risk Management – Guidelines for Planning Authorities*" DoEHLG / OPW 2009
- ii. The plan should promote the development where appropriate of adaptation measures to account for the likely increased risk of flooding due to climate change
- iii. The plan should provide for protection, management and as appropriate, enhancement of existing wetland habitats where flood protection measures / management measures are necessary

### Manager's opinion

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- i. Section 12.6 of Chapter 12 includes flood management strategies, policies and objectives for the County, drawn up in accordance with *The Planning System and Flood Risk Management – Guidelines for Planning Authorities*" DoEHLG / OPW 2009
- ii. It is considered that compliance with the flood management strategies, policies and objectives of the draft plan and with *The Planning System and Flood Risk Management – Guidelines for Planning Authorities*" will provide the measures necessary to address the risk of increased flooding in the future.
- iii. With regard to protected and non-protected wetland habitats and species, various objectives in Chapter 17 (Natural Environment), particularly Objectives WT2, WT4, BD3, BD4, BD5, BD7, BD8 provide sufficient regulation of the impacts of development (including flood protection works) on habitats and species.

### Manager's recommendation

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No change

## Chapter 13 'Waste & Environmental emissions'

### Issues raised

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- i. The plan should promote the integration of land use zoning and development to existing and planned availability of waste infrastructure and capacity
- ii. The policies / objectives of the plan should be linked to relevant waste data, policies and programmes e.g. National Waste Management Planning process, information and recommendation contained in various EPA reports, (etc, extensive list provided in submission)
- iii. The plan should promote an integrated approach to waste management for any proposed development(s) which should address all wastes generated during the construction phase of any development, as well as the operation and maintenance phases and should refer to the DoEHLG guidance publication '*Best Practice Guidelines on the preparation of Waste Management Plans for Construction and Demolition projects*' (2006)
- iv. The plan should include objectives for the protection and improvement as appropriate of air quality, particularly in areas zoned for increased urban and transport related development
- v. The plan should include reference to and as appropriate, promote the implementation of the Noise Directive and associated national regulations as well as the specific 'measures' / 'actions' set out or due to be set out in proposed 'Noise Action Plans'

### Manager's opinion

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- i. The role of Wicklow's *Waste Management Plan* is to make provision the recovery, recycling and disposal of waste arising in County Wicklow. It promotes waste prevention and minimisation through source reduction, producer responsibility and public awareness and education. It sets objectives and targets, roles and responsibilities. The primary objective is to ensure the best environmental management of all waste arising. This plan is drawn up having regard to the County growth and settlement strategy set out in the County Development Plan. This plan therefore links the delivery of waste services to zoning / development. It is not therefore considered necessary to include a specific provision in the County Development Plan to this effect.
- ii. The Wicklow's *Waste Management Plan* is the appropriate plan wherein such matters are considered.

- iii. Section 13.8 of Chapter 13 sets development standards with regard to construction and operational wastes arising. In regard to the issue raised, it is recommended that Section 13.8.1. 'Construction Management' includes a specific reference to the DoEHLG guidance publication '*Best Practice Guidelines on the preparation of Waste Management Plans for Construction and Demolition projects*' (2006)
- iv. Section 13.5 of Chapter 13 specifically addresses air quality, including the following objectives
  - AE1** To regulate and control activities likely to give rise to emissions to air (other than those activities which are regulated by the EPA).
  - AE2** To require proposals for new developments with the potential for the accidental release of chemicals or dust generation, to submit and have approved by the Local Authority construction and/or operation management plans to control such emissions.
  - AE3** To require activities likely to give rise to air emissions to implement measures to control such emissions, to install air quality monitors and to provide an annual air quality audit.
- v. Section 13.6 of Chapter 13 specifically addresses noise pollution, including the following objectives
  - NP1** To enforce, where applicable, the provisions of the Environmental Protection Agency (EPA) Acts 1992 and 2003, and EPA Noise Regulations 1994.
  - NP2** To regulate and control activities likely to give rise to excessive noise (other than those activities which are regulated by the EPA).
  - NP3** To require proposals for new developments with the potential to create excessive noise to prepare a construction and/or operation management plans to control such emissions.
  - NP4** To require activities likely to give rise to excessive noise to install noise mitigation measures and monitors. The provision of a noise audit may also be required as appropriate.

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#### Manager's recommendation

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Amend Chapter 13 as follows:-

##### **13.8.1 Construction and demolition management**

All construction sites shall be appropriately managed to ensure that environmental emissions are strictly controlled. This will be enforced by requiring (by planning condition) the agreement and implementation a 'construction and demolition management plan', which will set out

detailed measures to manage waste arising from the construction activity. In drawing up such plans, developers should have regard to DoEHLG guidance publication 'Best Practice Guidelines on the preparation of Waste Management Plans for Construction and Demolition projects' (2006) as may be amended and revised. In particular, such plans will set out:-

- construction programme for the works
- hours of operation
- a traffic management plan
- noise and dust mitigation measures (including details of a truck wheel wash at the site entrance
- details of construction lighting

A Construction Manager will be required to be appointed to liaise directly with the various sections of the Council.

## **Chapter 14 'Energy & telecommunications'**

### **Issues raised**

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- i. The plan should include an objective to prepare and implementation an 'Energy Conservation Strategy'
- ii. The plan should promote the use of renewable energy systems

### **Manager's opinion**

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- i. 'Energy conservation' refers to reducing the use of energy and reducing the waste of energy. The principle energy users are transport, electricity and heating. The plan directly addresses energy use in all of these areas in Chapter 14 of the plan and seeks to both reduce energy consumption but also to exploit and develop alternative energy sources. It is considered that the strategies, policies and objective sin this chapter provide in essence an energy conservation strategy and therefore the production of a separate strategy is not warranted
- ii. The plan clearly promotes the use of renewable energy by providing policies and objectives for wind energy, solar energy, hydro energy and bio energy. In particular, the plan includes a detailed Wind Energy Strategy.

### **Manager's recommendation**

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No change

## Chapter 17 'Natural Heritage'

### Section 17.3 'Biodiversity'

#### Issues raised

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- i. The plan should support / acknowledge existing Local Heritage and Biodiversity Plans and should promote the implementation of key actions set out in these plans. Where not already adopted, the plan should promote the preparation of County and where relevant appropriate Local Heritage and Biodiversity Plans. The plan should include an objective to carry out Urban Habitat mapping
- ii. The plan should provide a clear policy to suitable protect all designated habitats and species, ecological corridors/networks, wetland habitats and 'buffer zones' between designated and non-designated ecological sites and areas zoned for development, as well as linkages between such sites
- iii. The plan should promote the implementation of measures to control and manage alien / invasive species
- iv. The plan should include a policy reflecting the recommendations of "*Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities*" DoEHLG 2009 and should include a clear policy / objective that sets out the requirements for Appropriate Assessment screening for all proposed developments and amendments to the plan and procedures to ensure compliance with Article 6 of the Habitats Directive
- v. The plan should refer to the requirement of the Habitats Directive for the maintenance of special areas of conservation at a 'favourable conservation status' and should refer to the protection of Annex I - *Habitats* and Annex II – *Animal and Plant* species of '*Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna*'
- vi. The plan should include a provision that land use plans in Wicklow shall take account of the objectives and management practices proposed in available Management Plans for Natura 2000 sites
- vii. The plan should include an objective to ensure that Wicklow County Council, in fulfilling its responsibilities in the supply of services, zoning of lands and authorisation of development, addresses the threatened habitats and species identified in the NPWS Report "*The status of EU protected habitats and species in Ireland*" (2008)



### Manager's opinion

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- i. Chapter 17 makes clear reference to the County Heritage Plan and the National Biodiversity Plan. It is an objective of the plan BD1 to *'produce a Local Biodiversity Action Plan (in accordance with the objectives of National Biodiversity Plan 2002), identifying species and habitats of importance at a County level, and identifying and promoting appropriate action for the conservation and management of these'*.

Urban Habitat Mapping has been carried out for the settlements of Bray, Wicklow and Arklow, while Local Biodiversity mapping has been completed for Blessington. As no further funding is available for such studies it is not considered appropriate to include an objective that any further mapping will be carried out in the lifetime of this plan.

- ii. Objectives BD3, BD5 and BD7 clearly state the Council objective to protect Natura 2000 sites, NHA's and non-designated sites. Furthermore various other objectives in Chapter 17 ensure the protection of ecological corridors and other non-designated sites. Objectives WT4, WT5 and FL9 (Chapter 12) directly address the issue of set backs from riverbanks and the protection of river corridors.
- iii. It is not considered that the management of alien / invasive species is relevant to such a land use plan; rather it is an issue to be addressed in the Heritage Plan / Biodiversity Plan.
- iv. The Appropriate Assessment guidance document referred to was not published at the time of the production of the draft County Development Plan. It is recommended that the plan be amended to include reference to this guidance.
- v. Objective BD3 clearly states the Council objective to *"maintain the conservation value of existing and future Natura 2000 sites (SACs and SPA's) in the County"*. However, it is recommended that this objective be expanded to address the issue raised.
- vi. Local Authorities are obliged to implement the Strategic Environmental Assessment and Habitats Directives in the preparation of development plans. Appropriate Assessment in particular requires an evaluation of the proposed plan against the conservation objectives for any Natura 2000 sites. Many Natura 2000 sites do not have these objectives set out in Management Plans and where no Management Plan is in place, the National Parks and Wildlife Service provides conservation objectives for any particular site. It is not therefore considered necessary to include an objective that land

use plans in Wicklow shall take account of the objectives and management practices proposed in available Management Plans for Natura 2000 sites

- vii. The Local Authority in its function is obliged to comply with the EU Habitats Directive and any national legislation relating to habitats or species. It is not considered necessary to restate this obligation in an objective of this plan.

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**Manager's recommendation**

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Amend the plan as follows:

Chapter 17, Section 17.3 Biodiversity

**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

**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)

## **Section 17.5 'Water Systems'**

### **Issues raised**

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- i. The plan and objectives should include specific reference to the relevant objectives and measures set out in the Eastern and South Eastern River Basin Management Plans and the associated Programme of Measures. The objectives of the plan should take into account the 'Protected Areas' for the Eastern Region River Basin
- ii. The plan should include an objective to protect the salmonid waters in the Dargle and Vartry Rivers
- iii. The plan should include an objective to protect rivers and stream corridors by reserving riparian zones / ecological corridors, maintaining them free from inappropriate development and discouraging culverting or realignment
- iv. The plan should include a policy to support the implementation of the Freshwater Pearl Mussel Draft Derreen Sub-Basin Management Plan and incorporate the recommendation of the forthcoming Strategic Environmental Assessment being carried out for Shellfish Waters
- v. The plan should include a specific policy for the protection of groundwater resources and associated habitats and species (having regard to the requirements of the Groundwater Directive 2006).
- vi. The plan should outline the current water quality status and the status to be achieved by 2015 in any receiving waters covered by the plan
- vii. Reference should be made in the plan to the proposed surface water environmental quality standards set out in the Draft EC Environmental Objectives (Surface Waters) Regulations 2008 which address the WFD and the Dangerous Substances Directive.

### **Manager's opinion**

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- i. River Basin Management Plans are the implementing tool of the Water Framework Directive at a regional level. River Basin Management Plans list the current status of our waters and detail the measures required to bring those failing back to good status and maintain the high status of our pristine sites. The plan area is located in both the Eastern River Basin District (ERBD) and South Eastern River Basin District (SERBD). The draft plan already includes an objective to 'implement the EU Water Framework Directive' (Objective WT1) so while it is not considered strictly necessary to make further reference to the manner in which the Directive will be implemented, it is recommended that some minor changes be made as set out to follow.

- ii. In order to achieve the objectives of the WFD it is necessary to assess the risk that water bodies may not achieve good quality status; to identify the pressures from human activities causing this risk and to develop strategies and management plans to minimise the risk. Each water body in the County has been assessed, on the basis of human activity, whether it is at risk or not at risk of failing to achieve the WFD's objectives by 2015.

In addition to these assessments, the WFD requires that Registers of Protected Areas (RPAs) are compiled for a number of water bodies or part of water bodies which must have extra controls on their quality by virtue of how their waters are used by people and by wildlife. The Slaney, Vartry and Dargle systems are listed on the RPA because of their importance for Water Dependent Species and Habitats.

Given that the protection of these systems is specifically included in the ERBD and SERBD it is considered sufficient that the implementation of these plans be an objective of the County Development Plan

- iii. The draft plan already includes the Objectives WT4, WT5 (Chapter 17) and FL9 (Chapter 12) which directly address the issue of set backs from riverbanks and the protection of river corridors. However, it is proposed to strengthen these provisions (please see submission from ERFB and Manager's recommendation thereto earlier in this report).
- iv. In accordance with Article 13 (5) of the Water Framework Directive and the Habitats Directive, the DoEHLG has prepared 27 Draft Management Plans for the Freshwater Pearl Mussel. The objective of the plans is to restore the freshwater pearl mussel populations in 27 rivers, or stretches of rivers that are within the boundaries of Special Areas of Conservation. The Freshwater Pearl Mussel Draft Derreen Sub-Basin Management Plan (the Derreen is a tributary of the River Slaney) includes a map of the catchments of the specified pearl mussel populations. This map identifies an area in the west of the plan area. The draft plan already includes an objective to 'implement the EU Water Framework Directive' (Objective WT1) so while it is not considered strictly necessary to make further reference to the manner in which the Directive will be implemented, it is recommended that some minor changes be made as set out to follow.
- v. While the draft plan refers to the protection of groundwaters and the habitats located therein in a number of objectives (particularly WT1, WT2), it does not specifically refer to the Groundwater Directive 2006

While there have been EU directives in place relating to groundwater since 1980, the Water Framework Directive (which was adopted in 2000) addresses water in a holistic and complete manner and therefore the underground component of the water system is

recognised as an essential element of the river basin management. The WFD set objectives and programmes of measures for groundwaters as well as surface waters.

However, when the WFD was adopted, some of the objectives with regard to groundwater (particularly chemical states standards) were not fully resolved and this led to the further development of the Groundwater Directive of 2006. This directive is considered a 'child' of the WFD in that it complements the WFD by establishing environmental objectives for groundwater chemical status and ensuring continuity with the original 1980 Groundwater Directive.

In this regard, it is recommended that reference is made to the Groundwater Directive in the plan.

- vi. It is considered that this is a matter for the River Basin Management Plans and not the County Development Plan.
- vii. It is not considered necessary to include reference in this land-use plan to all secondary legislation (i.e. regulations) which the Local Authority is obliged to comply with.

#### **Manager's recommendation**

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Amend the plan as follows:

### **Chapter 17 Natural Heritage**

#### **17.2.5 Water Framework Directive 2000 & Groundwater Directive 2006**

The EU Water Framework Directive (WFD) is an important piece of EU environmental legislation which aims at improving our aquatic environment. It requires governments to take a new holistic approach to managing their waters. It applies to rivers, lakes, groundwater, estuaries and coastal waters. The Groundwater Directive complements the WFD by establishing environmental objectives for groundwater chemical status and ensuring continuity with previous Groundwater Directives. These directives aim to achieve good ecological status in all waters by 2015, protect high ecological status in our pristine waters and must ensure that status does not deteriorate in any waters. Local Authorities are charged with implementing the Water Framework and Groundwater Directive objectives.

For the purpose of implementing the WFD, Ireland has been divided into eight river basin districts or areas of land that are drained by a large river or number of rivers and the adjacent estuarine / coastal areas. The management of water resources will be on these river basin districts. The Plan area is located in both the Eastern River Basin District (ERBD)

and South Eastern River Basin District (SERBD). Within each River Basin District - for the purpose of assessment, reporting and management - water has been divided into groundwater, rivers, lakes, estuarine waters and coastal waters which are in turn divided into specific, clearly defined water bodies. River Basin Management Plans list the current status of our waters and detail the measures required to bring those failing back to good status and maintain the high status of our pristine sites.

Twenty-seven Draft Management Plans for the Freshwater Pearl Mussel have also been prepared, the objective of which is to restore the freshwater pearl mussel populations in 27 rivers, or stretches of rivers that are within the boundaries of Special Areas of Conservation. The Derreen Sub-Basin Management Plan is partially located in County Wicklow, the Derreen being a tributary of the River Slaney.

#### **Objective WT1**

**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.

## Section 17.7 'Recreation use of natural resources'

### Issues raised

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A commitment should be included in the plan to improve bathing water quality in County Wicklow along with an appropriate policy / objective to ensure that information is provided to the public regarding water quality as required by the Bathing Water Regulations

### Manager's opinion

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- i. The draft plan includes the following objective  
**AW7** To protect the quality of bathing waters and to endeavour to ensure that bathing waters achieve "*sufficient or better status by 2015*" and increase the number of bathing waters classified as "*good*" or "*excellent*", in accordance with the Bathing Water Directive (Directive 2006/7/EC)
- ii. It is not considered necessary to include reference in this land-use plan to all secondary legislation (i.e. regulations) which the Local Authority is obliged to comply with.

### Manager's recommendation

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No change

## **Section 17.8 Landscape and views / prospects**

### **Issues raised**

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- i. The plan should promote the requirements to carry out a 'Visual Impact Assessment' for proposed developments with the potential to impact adversely on significant landscapes
- ii. The plan should promote the recognition of visual linkages between established landscapes and landscape features and views, when land is being zoned for development or when individual development proposals are being assessed.

### **Manager's opinion**

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- i. The draft plan includes the following objective  
**LA2** Any application for permission in the AONB or CLA zones shall be accompanied by a Visual Impact Assessment, which shall include, inter alia, an evaluation of visibility and prominence of the proposed development in its immediate environs and in the wider landscape, a series of photos or photomontages of the site / development from clearly identified vantage points, an evaluation of impacts on any listed views / prospects and an assessment of vegetation / land cover type in the area (with particular regard to commercial forestry plantations which may be felled thus altering character / visibility).
- ii. The draft plan makes provision for landscape protection through the designation of different landscape categories, views and prospects and items / places of natural, cultural and historical heritage. In the preparation of landscape categories, linkages between different landscape features and places, linkages between the landscape and geological, cultural and natural heritage were considered. The views and prospects in the draft plan derive from the identification of places and sights of value and therefore add further linkages between places. In the drawing up of plans and in the assessment of applications, all of the issues are considered and the draft plan includes numerous objectives integrating these elements in to the decision making process.

### **Manager's recommendation**

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No change



#### **4.8 HEALTH & SAFETY AUTHORITY**

##### **Issues raised**

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The HSA expects the development plan to contain:

- i. An indication of planning policy in relation to major accident hazard sites
- ii. The consultation distances supplied by the HSA to Wicklow County Council in relation to such sites and these distances indicated on the various maps include in the plan
- iii. A policy on the siting of new major hazard establishments and developments in the vicinity of such establishments
- iv. Mention of the notified sites in Wicklow (Schering Plough Rathdrum and Sigma Aldrich, Arklow)

##### **Manager's opinion**

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The draft plan includes the following the objective:

#### **EMP 13 Seveso Sites**

The Seveso II Directive 96/82/EC as amended by Directive 2003/105/EC is concerned with the prevention of major accidents that involve dangerous substances and the limitation of their consequences for humans and the environment. It applies to establishments where dangerous substances are produced, used, handled or stored. This EU directive seeks to ensure the safety of people and the environment in relation to major industrial accidents involving dangerous substances.

The European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations (S.I. No.476 of 2000) are the main regulations that give effect to this Directive in Irish law. The National Authority for Occupational Safety Health (i.e. the Health and Safety Authority – HSA) has been designated as the central competent authority for enforcement of these regulations.

There are two Seveso sites in County Wicklow (as of July 2009), located at Schering-Plough, Rathdrum and Sigma Aldrich Fine Chemicals, Arklow.

In relation to the Prevention of Major Accidents (Control of Major Accident Hazards Involving Dangerous Substances) legislation, it is the objective of the Council to:

- Comply with the Seveso II Directive in reducing the risk and limiting the potential consequences of major industrial accidents;
- Where proposals are being considered for the following: (i) new establishments at risk of causing major accidents, (ii) the expansion of existing establishments designated under the Directive, and (iii) other developments proposed near to existing establishments; the Council will require that applicants must demonstrate that the following considerations are

taken into account: (i) prevention of major accidents involving dangerous substances, (ii) public health and safeguarding of public health, and (iii) protection of the environment;

- Ensure that land use objectives must take account of the need to maintain appropriate distances between future major accident hazard establishments and residential areas, areas of substantial public use and areas of particular natural sensitivity or interest;
- Have regard to the advice of the Health and Safety Authority when dealing with proposals relating to Seveso sites and land use plans in the vicinity of such sites.

It is considered that this objective fully addresses the submission of the HSA

#### **Manager's recommendation**

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No change

#### **4.9 NATIONAL ROADS AUTHORITY**

### **Chapter 11 Roads & transportation**

#### **Issues raised**

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- i. With regard to the objectives for park and ride facilities at Fassaroe, Wicklow-Rathnew and Blessington (Objective PT2) and the objective to pursue the provision of a bus priority scheme on the N11 / M11 (Objective PT6), the NRA is of the opinion that such proposals should not compromise the primary strategic role of the national road network to cater for inter-regional and inter-urban traffic. The NRA recommends that individual park and ride sites should not be brought forward in the absence of a strategic policy on the provision of such sites which identifies appropriate locations in a coordinated way, including appropriate strategic transport assessments. Furthermore, a number of critical issues would require to be addressed in the provision of any bus priority measures of the N11/M11.
- ii. The provision of a third interchange on the Arklow by-pass is not on the NRA's programme of works and the NRA would not be supportive of this objective
- iii. The objective to connect Arklow to the Dublin Outer Orbital Route is noted but WCC should take note that this is not a scheme for which national investment is scheduled.
- iv. The provisions of Part (4) of Section 11.7.2 'National Road Control Objectives' (which relate to a new means of access onto the national road network for a rural house) are at variance with official policy on new means of access on national roads and it is requested that this provision be removed from the plan.
- v. WCC is requested to include a specific objective to protect the carrying capacity, operational efficiency and safety of all junctions on the national road network and to require proposals in the vicinity of such junctions to be accompanied by traffic and transport assessments and where relevant Road Safety Audits (and such assessment should address the cumulative impacts of adjacent developments).
- vi. The policies / objectives of the plan and any local plans / zonings coming under its remit should ensure that the strategic transport function of the national road network (including its junctions) is not undermined and that local traffic movements can be accommodated on the local road network without recourse to the national road or its junctions for local movements. In this regard, fundamental issues relating to land use

and transportation (such as zoning or designating settlements / location for future development) should not be made without having first undertaken a 'Strategic Transport Assessment' to determine the capacity of the local road network, the interface with the N11 / N81 and its junctions and the impact of development on the operational efficiency and capacity of national routes.

- vii. Objective PR2 (relating to Traffic Impact Assessments) should also include the requirement to carry out Road Safety Audits in accordance with DMRB HD19/09

### Managers Opinion

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- i. It is accepted that the designation of particular locations and sites for regional park and ride facilities should not occur prior to the carrying out of more investigations into the origin / destination of commuters and the services / needs of public transport providers. In this regard, it is recommended that the wording of Objective PT2 be amended as set out below.

With regard to the provision of a bus priority scheme on the N11/M11, the draft states that it is an objective to 'pursue' this possibility and clearly this will have to be in consultation with the NRA. It is recommended that this objective remains.

- ii. While there is currently no funding in place for a third interchange on the Arklow bypass, it is considered appropriate to maintain this objective for the long term development of Arklow as a major growth pole. Obviously this is a matter that will have to be pursued in consultation with the NRA.

- iii. While it is accepted that the connection of Arklow to the Dublin Outer Orbital Route is not currently included in Transport 21, it is included in the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022. The draft RPGs indicated that the connection of the DOOR to Arklow "*will have important implications for strategic planning and economic opportunity in the mid East counties. Route selection and design should continue in order that planning authorities can evaluate implications and capitalise on the benefits and potential arising if this project is progressed from what is likely to be a significant national investment.*". Therefore it is considered appropriate to maintain this objective for the long term development of Arklow as a major growth pole. Obviously this is a matter that will have to be pursued in consultation with the NRA and the Department of Transport.

- iv. The NRA is referring to its official policy as expressed in 'Policy Statement on Development Management and Access to National Roads' (NRA May 2006). It is stated

policy that *'save in exceptional circumstances, the Authority will generally adopt a restrictive approach in the case of other national roads to which speed limits greater than 50 kph apply as regards development proposals involving new accesses or the generation of increased traffic from existing operations and activities on such roads.'*

The policy document also goes on to describe 'exceptional circumstances'. In considering whether exceptional circumstances warrant special attention, the Authority would take into account matters such as:

- the relevance and appropriateness of the proposed development in supporting the aims and objectives of the National Spatial Strategy and Regional Planning Guidelines;
- relevant official policies on development management, including Policy and Planning Framework for Roads (1985), Sustainable Rural Housing - Guidelines for Planning Authorities (2005) and Retail Planning Guidelines (2005);
- nature of proposed development and the volume of traffic to be generated by it; implications for the safe and efficient operation of the national road as well as for proposed upgrades or routes for new roads;
- implications for the traffic carrying capacity and service life of the road;
- suitability of the location vis a vis alternative locations;
- existing development in the area, and
- the precedent that could be created for follow-on development of a similar nature and the potential implications involved for national roads.

It is recommended that the draft plan be amended to be more consistent with the NRA policy. This will reduce potential conflict, including appeals of decisions and will provide greater clarity for the developer.

- v. Wicklow County Council has a long record of protecting the National routes from inappropriate developments such as directly accessible shopping centres, and has always insisted on junction capacities being critically assessed in any applications for significant developments, whether these developments are adjacent to or at a remove from the relevant national route. If there is insufficient capacity available, or if the increased loading due to such a development (and any other development for planning permission that has been granted and not fully developed) would impact on the safety of the junction, then such development applications must develop proposals to mitigate such impacts. It is accepted however, that there is no specific objective to cover this, and a further objective is recommended.
- vi. All policies/objectives/zonings of this Plan, or any subsidiary Local Area Plans are, and must be, compatible with the 'Core Strategy' of this County Development Plan. The

'Core Strategy' in turn must be compatible with the National Spatial Strategy and Regional Planning Guidelines. It makes no sense whatsoever to restrict the implementation of the National Spatial Strategy and Regional Planning Guidelines to the current carrying capacity of the national routes. Rather, it is the NSS and its daughter planning strategy the RPGs, that are the imperative planning documents on which all national infrastructure must be based, be it roads or broadband, energy transmission, water services, etc., not vice versa.

To illustrate the inappropriateness of such an imposition, it would result in the development of Bray, a town with the highest possible designation in the Regional Planning Guidelines and within the Greater Dublin metropolitan area, being inhibited on the basis of a road that has not had its carriageway capacity upgraded for over 35 years, and whose peak capacity is in the main taken up with long distance unsustainable commuting.

Policies RR1 and LR1 adequately address the other issues raised in this part of this submission

- vii. The issue raised is noted. It is recommend that objective PR2 be expanded to include reference to Road Safety Audits in accordance with DMRB HD19/09

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#### **Manager's recommendation**

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Amend the plan as follows:-

### **Chapter 11 Roads & transportation**

#### **Section 11.2 Public transport**

**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 Fassaroo, 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.

#### **Section 11.4 Public roads**

##### **Amend objective PR2 as follows:-**

**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).

#### **Section 11.4.1 National Roads**

##### **Add new 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.

#### **Section 11.7.2 National Road Development Control Objectives**

- vi. Any works carried out on national roads shall comply with NRA 'Design Manual for Roads & Bridges', as may be amended and revised.
- vii. No development shall be permitted that would involve direct access to or from a motorway, in accordance with Section 46 of the Roads Act (1993).
- viii. A new means of access onto a national road will generally not be permitted, but may be considered if one of the following circumstances applies:
  - the national road passes through a designated settlement and a speed limit of less than 50km/h applies;
  - where the new access is intended to replace an existing deficient one.<sup>2</sup>

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<sup>2</sup> This does not imply that permission will be granted for additional vehicular movements onto the national road on the basis that the existing access is being improved.

- where exceptional circumstances apply, as described in Section 3.2.6 of the NRA 'Policy Statement on Development Management and Access to National Roads' (NRA May 2006)

~~ix. Permission for new rural houses with direct access onto a national road shall not be considered except where:~~

- ~~—— the applicant can show that it is essential to their livelihood to live at that location;~~
- ~~—— the site is on family owned land and does not comprise a single site purchased for the purpose of house building;~~
- ~~—— it is demonstrated that no other means of access is available to the land holding (this applies to the entire family holding, not just the house site in question);~~
- ~~—— in the first instance, any existing entrance onto the national road is utilised and brought up to the required standard, and where that is not possible, it may be replaced by a new entrance meeting a higher safety standard;~~
- ~~—— the existing or new entrance complies with the NRA traffic safety requirements as set out in the NRA 'Design Manual for Roads & Bridges'.~~

- x. Permission will generally not be considered for new development adjoining the national road even where no vehicular access is created because hazardous situations often still arise due to unregulated parking and the opening of pedestrian routes.



## **Chapter 6 'Rural Housing & Development'**

### **Issues raised**

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- i. It is requested that the design standards in this chapter be cross referenced with the policies / objectives in Chapter 11 (Transportation) with regard to new means of access onto the national road network
- ii. With regard to the inclusion of lands adjoining the national road in the boundaries of Kilmacanogue (rural town), Kilpedder / Willowgrove and Barndarrig (large villages), the NRA reminds that the provision of access to such lands from the national road outside the 50kph limit is contrary to official policy. It is requested that these village plans include a specific policy that access lands fronting onto the N11 can only be allowed either via the local road network or onto the N11 where the speed limit is less than 50kph.

### **Managers Opinion**

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- i. The purpose of having an entire chapter devoted to transportation and roads is so the policies, objectives and design standards for development do not have to be repeated for every development type. In this regard, the plan should be read as a complete document and therefore cross referencing between chapters is not warranted.
- ii. These rural settlements do not have individual plans and therefore development therein is bound by the objectives and standards of the County Development Plan. Therefore it is not considered necessary to restate in Chapter 6 objectives and standards that are already included in Chapter 11.

### **Manager's recommendation**

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No change

## **Chapters 7 & 8 'Enterprise & employment' and 'The rural economy'**

### **Issues raised**

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- i. Chapter 7 includes the objective of promoting economic development of settlements along the N11 and N81 corridors. The NRA is concerned that this objective may be misinterpreted as directing new development to strategic locations on the national road network, including associated junctions, rather than to existing settlements subject to adopted land-use plans.
- ii. Objective RUR2 (Chapter 8) which restricts new industrial / commercial development on national routes except on zoned land in growth centres should be cross referenced with Objective NR5 (Chapter 11) to provide added clarity. This would also add clarity with regard to quarrying / extractive industries as the draft plan contains no reference to any restrictions on access to the national road network for such development. Generally, the policies / objectives of Chapter 11 (Transportation) should be cross referenced where required in these chapters, particular in specific policies / objectives that promote developments that could rise to significant levels of traffic.

### **Managers Opinion**

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- i. The objective referred to clearly states that it refers to 'settlements' on the N11 / N81 corridors only. The employment objectives for other settlements and rural areas are clearly set out in both Chapter 7 and Chapter 8 and it is not considered that misinterpretation is likely.
- ii. The purpose of having an entire chapter devoted to transportation and roads is so the policies, objectives and design standards for development do not have to be repeated for every development type. In this regard, the plan should be read as a complete document and therefore cross referencing between chapters is not warranted.

### **Manager's recommendation**

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No change

## **Chapter 9 'Tourism & recreation'**

### **Issues raised**

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- i. The NRA requests that the objective to support the existing / planned integrated tourism and leisure complex at Ballynattin, Arklow adjacent to the Arklow south interchange of the M11 be reviewed
- ii. It is requested that any other proposals for ITLR complexes be subject to the requirement that they do not negatively impact on the strategic national road network
- iii. The objective to support the development of an Arts, Crafts and Interpretive Centres at Sexton's garden Centre, Glen of The Downs should be clearly only on the basis of access being provided from the local road network, rather than the N11.

### **Managers Opinion**

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- i. The Ballynattin lands in question have been designated for development since 1999 and have valid permission for the development of a tourism complex. The lands also adjoin lands that are developed for employment purposes (IDA Ballynattin). In this context, it is not considered appropriate to review this zoning.
- ii. Any application for ITLR development will be evaluated against the policies, objectives and standards set out in the County Development Plan, including those set out in Chapter 11 relating to the national road network and development impacting on same. It is not considered necessary to repeat the objectives and standards of Chapter 11 in Chapter 9.
- iii. The lands in question have been designated for development since 2004. The N11 Kilmacanogue to Glen Of The Downs scheme, which was approved and under construction prior to this designation, provided for a new access point to the site from the rear (east) but did not provide for the closure of the access directly onto the N11. While not explicitly stated in the 2004 County Development Plan, pre-planning discussions and a subsequent planning application for development on this site were progressed strictly on the basis of access only being allowed from the new rear entrance and the existing entrance onto the N11 being sealed.

### **Manager's recommendation**

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No change

## **Chapter 10 'Retail'**

### **Issues raised**

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- i. Objective RT4 which restricts the development of large retail centres adjacent, close to or on a high speed route to existing, new or planned national road / motorways allows an exception for large retail warehouses where it can be shown that the road network has sufficient capacity to cater for the scale of the development. This objective is contrary to the provisions of the Retail Planning Guidelines which only allows this exception where the proposed development would be situated in an Integrated Area Plan area in a Gateway (designated by the National Spatial Strategy)
- ii. Generally, the policies / objectives of Chapter 11 (Transportation) should be cross referenced where required in this chapter, particular in specific policies / objectives that promote developments that could rise to significant levels of traffic.

### **Managers Opinion**

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- i. This inconsistency with the Retail Planning Guidelines is noted. However, strict adherence to the guidelines would leave County Wicklow in the position that there would be virtually no location in the County that would be possible to develop for large scale warehouse retail. Few sites of sufficient size would be available at the core of any of the designated growth towns and sites on the edges of these settlements as all in close proximity to the national road network or on high speed links to same, particularly given the location of our principle growth towns between the coast and the N11. It is unlikely that large scale retailing could be shown to be appropriate or would even be desirable in the smaller towns in the settlement hierarchy.  
Furthermore, it is a requirement that the County Development Plan and associated local plans be consistent with the Regional Planning Guidelines for the Greater Dublin Area. This requires plans to make provision for expansion of the designated growth towns, including growth in retail and employment opportunities. Therefore to take such a rigid interpretation of the guidelines, particularly in growth towns, would undermine the growth objectives, the attainment of a suitable degree of self sufficiency and a reduction in the dependence on the metropolitan area for all services.
- ii. The purpose of having an entire chapter devoted to transportation and roads is so the policies, objectives and design standards for development do not have to be repeated for every development type. In this regard, the plan should be read as a complete document and therefore cross referencing between chapters is not warranted.

**Manager's recommendation**

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No change

### **Volume 3 Town Plans**

#### **Issues raised**

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With regard to the inclusion of lands adjoining the national road (N81) in the boundaries of Baltinglass, the NRA reminds that the provision of access to such lands from the national road outside the 50kph limit is contrary to official policy. It is requested that the town plan include a specific policy that access lands fronting onto the N81 can only be allowed either via the local road network or onto the N81 where the speed limit is less than 50kph.

#### **Managers Opinion**

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This town plan forms part of the County Development Plan and therefore development therein is bound by the objectives and standards of the County Development Plan. This is specifically stated in the introduction to Volume 3, together with the objective not to restate the policies that are in the County Development Plan to keep the Town Plans easy to read and relevant. Therefore it is not necessary or desirable to restate in the town plan the objectives and standards that are already included in Chapter 11.

#### **Manager's recommendation**

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No change

#### **4.10 WICKLOW TOWN COUNCIL**

##### **Issues raised**

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##### **General**

- i. The population and housing data should be updated to take account of 2009 research available from the 2009 Housing Land Availability Assessment
- ii. The plan should include objectives for the regeneration of town suburbs as well as core areas and greenfield / brownfield sites
- iii. The plan should provide guidance on the enhancement of existing neighbourhood facilities and open spaces
- iv. The plan should provide guidance on tall buildings

##### **Chapter 10 Retail**

- v. The draft plan does not address retail car parking and should include measures to address the disincentive to shop in the town centre created by out of centre shopping areas providing free parking
- vi. The plan should provide guidance / objective restricting the size of out of centre shopping developments to ensure that they do not impact negatively on existing town centres
- vii. The Retail Strategy should address the issue of town centre rejuvenation and provide standard / guidance for car parking, building size, façade retention, site size, backland development, rejuvenation of derelict sites, pedestrianisation etc for town centres
- viii. The core retail area proposed for Wicklow Town should be amended to reflect the 'town centre' zoning in the Wicklow Town Development plan
- ix. Retail Objective No. 5 for Wicklow Town should be amended to reflect the lack of premises and sites suitable for retail warehousing in the core retail area of the town

##### **Chapter 18 Coastal Zone Management**

- x. With regard to Appropriate Assessment under the Habitats Directive for developments potentially impacting on Natura 2000 sites, the plan should include guidance on what is required for such assessment
- xi. Clarification is requested with regard to the definition of a 'soft shoreline' (Objective GCZ3)

## **Manager's opinion**

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- i. It is recommended that Chapter 4 of the plan be updated to take account new data, both that provided by the 2009 Annual Housing Land Availability return but also any new data from the Regional Authority and the DoEHLG, particularly population and housing statistics. The proposed amendments to Chapter 4 are set out in Appendix 1 of this report.
- ii. Chapter 5 of the draft plan 'Urban Development' is intended to address all issues surrounding the development of towns, both their core areas and their suburbs. However, with regard to regeneration and redevelopment of existing areas, it is noted that the objectives particularly focus on core town centre areas with inadequate attention to suburbs / edge of centre locations. In this regard, it is recommended that Objective UD3 be expended to address this deficiency.
- iii. The issue of enhancement of existing open spaces or neighbourhood facilities is a matter for the facility operator, whether that is a Local Authority or a private operator. However, where any redevelopment proposals are made, it is recommended that it be stated in the plan that the objectives and standards for new facilities will be used as an assessment tool.
- iv. Section 5.4.1 of Chapter 5 addresses the issue of height of new buildings in town centres and is considered to adequately address the issue. It must be taken into consideration that this is a higher order plan that must apply across of range of settlement types and still be relevant but that local plans will address such details in more detail, tailored specifically to the characteristics of the settlement in question.

## **Chapter 10     Retail**

- v. It is noted that car parking standards have not be set out for the different types of retail provision and it is recommended that Chapter 11, Table 11.2 is amended to address this issue. With regard to free parking being available at out of centre shopping centres, it is considered excessive to include a policy / objective requiring that charges be made for such car parking. The key here is the control of the location and size of such shopping centres so that they complement rather than take away from existing town centres. Chapter 10 includes sufficient objectives and control measures to ensure that the location and scale of new retail facilities can be managed.
- vi. The draft plan specifically prohibits the development of 'out-of-town' shopping centres, which are defined as shopping centres on greenfield sites or outside the urban



boundary. The plan does not however prohibit 'edge of centre' retail developments, which are sites somewhat removed from the urban core but still within the town boundaries. Where permission is sought any 'large' retail development on such sites (the definition of 'large' will vary depending on the nature of the town, but thresholds are set out in Chapter 10), the application will be assessed in accordance with the 'sequential approach' as set out in Section 10.5.2, which requires a systematic assessment of the suitability of the site vis-à-vis its location, the availability of other suitable sites and an evaluation of any trade draw away from the main town core.

- vii. The draft development plan does address the issue of town centre rejuvenation and development standards – these are set out in Chapter 5 'Urban Development' rather than in the Retail Strategy.
- viii. The 'core retail area' is not intended to be reflective of the entire town centre zone, but just that area of the town that is the principal retail area. This designation does not impact on the uses allowable in the wider town centre zone, and retailing is a use that is permissible subject to normal planning controls. The primary impact of the designation of a 'core retail area' is the requirement that any significant retail proposals outside such zones clearly justify the need and location of such development. This is considered reasonable in order to ensure the continue vitality and viability of the core area, particularly those properties and sites that adjoining the squares and main streets of the major towns in the County. Therefore no change is recommended.
- ix. The research and analysis carried out for the GDA Retail Strategy found that Wicklow Town has a need for a growth in comparison floorspace of between 7,500sqm (assuming all bulky goods) and 10,500sqm (assuming all non-bulky goods). However, the Lusra Teoranta retail warehousing development permitted on Marlton Road (13,000sqm) already takes up more than this entire allocation. This more than meets the needs of the settlement and its catchment for the foreseeable future (the permission is valid until 2013). However, at the time of the publication of the draft plan, this development had not commenced, and has not commenced to date. Retail Objective No. 5 for Wicklow Town and environs sets out the policy of the Council in the event that this development does proceed, which is effectively to not allow any further retail warehousing developments in the settlement other than  
*"(i) conversion of non-retail premises in the core area to retail warehousing use, (ii) renovation and expansion of existing retail warehouse premises in the core retail area, (iii) redevelopment of derelict or brownfield sites in the core and (iv) replacement of existing facilities within the town"*

It is accepted that there would be very few sites / premises that would fulfill these criteria, but the purpose of the objective is to restrict further retail warehousing, rather than to allow further retail warehousing. The development of further retail warehousing outside of the town centre would have the potential to impact severely on the viability of the core area. In the event that the Lusra development does not proceed, the plan identifies a need for growth on comparison retailing of up to 15,000sqm, which could be provided at a variety of suitable locations in the settlement, in accordance with the town and local area plan and the overriding objectives of the County Retail Strategy.

- x. It is not the purpose of a land use plan to provide guidance on compliance with the Habitats Directive. The DoEHLG has published guidance on this matter.
- xi. A soft shoreline is a shoreline that is at risk of erosion or one that is not protected with hardened structures that armour and stabilise the shoreline from further erosion

#### **Manager's recommendation**

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Amend the plan as follows:-

#### **Chapter 5 'Urban Housing & Development'**

**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).

## Chapter 10 "Retail"

### 10.5.5 The qualitative aspects of the proposal, ~~including scale~~

~~Chapter 5 of this plan sets out the requirements of the Council with regard to urban form, building scale, height and other qualitative parameters.~~

#### **Town / village centre sites**

New / expanding retail developments in town / village centres should have regard to the design standards set out in Chapter 5 of this plan.

#### **Edge of centre / out of centre sites**

Such sites by their nature often cannot draw design reference from their immediate surroundings, with the environs often comprising undeveloped land or lower density 'edge of centre' type housing developments. The key issue here is the provision of a new development that produces a high quality environment that fits with its surroundings, and does not detract from the established residential and visual amenities of the area. The following criteria will be required to be addressed in any such development:

- notwithstanding the scale of development warranted with regard to any retail assessment carried out, the size of such development should reflect its surroundings and not appear monolithic or excessively bulky vis-à-vis the surroundings. In this regard, height, footprint and overall mass / bulk must be carefully considered;
- The impact of the building on its surroundings must be carefully considered, in particular possible overlooking and overshadowing of adjacent residences, excessive dominance in the (urban) landscape or other negative impacts on residential or visual amenity;
- The provision of a new retail structure at an 'edge of centre' or 'out of centre' location will result in the introduction of a new architectural form in the area and the design should be of the highest quality in recognition of this. Design should be innovative, interesting and should be informed by the place and time. Formulaic or 'pattern book' designs should be avoided and each development should be unique to its surroundings;
- The designs and building format should aim to incorporate as many 'active' facades as possible and blank facades should not be visible to public areas. Materials and finishes utilised should be appropriate to the location and buildings with an excessively industrial appearance i.e. metal / industrial panel finishes, lacking in fenestration etc will not normally be accepted;
- Sustainable or 'green' design principles should be employed that allow for a reduction in energy / water usage and waste in the development;
- Delivery / storage areas should not be located directly adjoining residential areas, due to potential impacts from lighting and noise. However, such areas should be located out of public view through appropriate positioning or acceptable screening treatment;

- The treatment of boundaries should address the surroundings and security / industrial type boundaries will generally not be accepted;
- Entrances (vehicular and pedestrian) should be attractive as well as functional and should provide for a high degree of permeability from the surrounding area;
- Signage should be appropriate to the location and scale of the development and overly large, excessively illuminated or inappropriately located signage will not be considered.

## Chapter 11 "Roads & transportation"

### Section 11.7.3 Parking

Table 11.2 Car Parking Standards

Use Class	Parking spaces to be provided
Auditorium, Theatre, Cinema, Stadium	0.33 per seat
Church	0.33 per seat
Nursing Homes	0.5 per bed
Third Level Colleges	0.5 per student
Hotel (excluding function room)	1 per bedroom
School (primary)	1.2 per classroom
School (secondary)	2.0 per classroom
Hospital	1.5 per bed
Clinics & Group Medical Practices	2 per consultant
Dwelling	1-2 per unit
Warehousing	1 per 100 m <sup>2</sup> gross floor area
Retail Warehousing & Factory / Outlet / Garden Centres	62 per 100 m <sup>2</sup> gross floor area
Library	3 per 100 m <sup>2</sup> gross floor area
Manufacturing	3 per 100 m <sup>2</sup> gross floor area
Offices (ground floor)	5 per 100 m <sup>2</sup> gross floor area
Offices (above ground floor)	4 per 100 m <sup>2</sup> gross floor area
Bank or Financial Institution	7 per 100 m <sup>2</sup> gross floor area
Restaurant dining room	10 per 100 m <sup>2</sup> gross floor area
Ballroom, Private dance Clubs	15 per 100 m <sup>2</sup> gross floor area
Bar, Lounges, Function Rooms	20 10 per 100 m <sup>2</sup> gross floor area
Childcare facilities	0.5 spaces per staff member + 1 car parking space per 10 children
Allotments	1 space per plot in areas located outside towns or villages (within towns or villages a relaxation of this standard shall apply on a case by case basis).
Out of town / regional shopping centres	6 per 100sqm floor area
Other retail (town / village, district / neighbourhood centre, large / discount foodstore)	4 per 100sqm floor area

## **Chapter 15 'Social & community infrastructure (including Open Space)**

### **Section 15.5 'Development Standards'**

Insert the following sentence

The standards set out in this section relate particularly to new developments; however, proposals for the redevelopment / enhancement of existing community / social facilities and open spaces, shall be assessed against the same criteria

## **Chapter 18 Coastal Zone Management**

### **Amend Objective GCZ3**

**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.

#### 4.11 CLLR VINCENT BLAKE WCC

##### Section A

##### Issues raised

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##### Chapter 3, Goal 7

Amend first bullet point as follows:-

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

##### Managers Opinion

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While it is considered that the key aim with regard to transpiration should be to shift emphasis away from the building of new roads towards more sustainable solutions such as more efficient use of existing roads and improved public transport, it is acknowledged that this is not entirely realistic given the predominantly rural character of the County and lack of significant public transport facilities in the County outside of Bray and Greystones. Therefore it is considered this proposed amendment better fits the County Wicklow circumstances.

##### Manager's recommendation

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Amend Chapter 3 as follows:-

##### Chapter 3, Goal 7

Amend first bullet point as follows:-

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.

## Section B

### Issues raised

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- i. Section 5.4.6.4 Independent living units ('Granny flats'), amend as follows:-  
"The structure must be capable of being functionally re-integrated into the main house when its usefulness has ceased. ~~Permission for such units shall be restricted to a period of 7 years, after which it must revert to a use ancillary to the main house (e.g. garage, store, hobby room) unless permission has been secured for its continuation as an independent unit for another period"~~
- ii. Section 6.3.1, **Objective RH5**  
Amend as follows:-  
"The following criteria will apply to new housing developments in rural settlements:-  
- where no mains sewerage is available, permission for housing (both single and multi-house developments) will only be considered on the basis of individual on-site effluent disposal systems ~~shared private wastewater treatment plants will not be allowed or~~ **shared private waste water treatment plants should only be allowed with the approval of the guidelines from EPA and Local Authority environmental criteria"**
- iii. Section 6.3.1, **Objective RH9 Rural Towns**  
Omit exclusion of residents of Levels 1-3
- iv. Section 6.3.1, **Objective RH11 Large Villages**  
Omit exclusion of residents of Levels 1-4
- v. Section 6.3.1, **Objective RH12 Small Villages**  
Omit exclusion of residents of Levels 1-4
- vi. Section 6.3.1, heading **Rural Clusters' (Level 9)**  
Omit reference to 80 houses as this should be 195 in accordance with Table 6.4
- vii. Section 6.3.1 Objective RH13  
Amend as follows:-  
"Meet Local Growth criteria, with the following limitation:  
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"

viii. Section 6.3.2 Heading 'Replacing or renovation an existing rural structure'

Amend as follows:-

"Applications for a new rural dwelling will be positively considered where the new dwelling is replacing an existing rural dwelling that has become obsolete or is not suited to modern accommodation needs. It will be necessary for the applicant to demonstrate that the structure being replaced is in fact a 'dwelling' ~~and its residential use has not been abandoned.~~"

ix. Section 6.4.3 Heading 'Site selection'

Amend 5th bullet point

"The possibility of clustering the new development with other houses or manmade structures. ~~While isolated rural sites should be avoided,~~ care needs to be taken to avoid over-development in any location or 'ribbon development'"

x. Section 6.4.3 Heading 'House position & siting'

Amend as follows:-

"On sloping sites, houses will normally be required to be built into the slope of the site, ~~so that the finished floor level of the house is not more than 0.15m above the existing ground level to the front of the house.~~ However, deep excavations should also be avoided as these in themselves can cause a scar on the landscape. Where steeply sloping sites cannot be avoided, design solutions must be considered to minimise the impact, including for example the use of stepped or split level housing"

xi. Section 6.4.3 Heading 'Dwelling format & shape'

Amend as follows:-

"The key requirement for rural houses is that they be absorbed by the landscape. Dwellings should thus blend in and not dominate the local landscape, or stick out by reason of scale, form, or detail. ~~Dwellings should be simple in format and shape and an excessive number of block shapes and heights, roof pitches and shapes, add-ons, wings, protruding windows (such as bay windows), porches, conservatories etc should be avoided.~~ The main body of the house should be the dominant element and be clearly distinguishable, and if necessary, one or a number of smaller, suitably designed projections attached to the main house may be provided to break up the overall mass of the structure.

~~'Deep-plan' houses (i.e. houses that are two rooms 'deep' with a central dividing corridor) should be avoided, as this format overly constrains the options for the format, design, roof style and glazing layout of the house and also results in poor use of natural lighting.~~

~~While symmetry is not required, houses should be well 'balanced'. This will mean that any projections to the main body of the house will require to be sensitively designed and located and not cause the house to look 'lop-sided'.~~

~~Generally, the following characteristics should be integrated into a new dwelling~~

~~—— low eaves~~



- ~~—— narrow plan~~
- ~~—— 35-55 degree roof pitch~~
- ~~—— vertical emphasis to gables~~
- ~~—— sturdy and solid~~
- ~~—— flat fronted"~~

xii. Section 6.4.3 Heading 'Walls & boundaries'

Amend as follows:-

"The design of walls and boundaries, particularly those along public road frontages, shall be suitable to the rural location. In the first instance, existing hedges and trees lining boundaries should be maintained. However, where they require to be removed for sightline or other reasons, they shall be replaced by a similar hedge of native ~~species interspersed with suitable native trees~~. Long stretches of solid walls or railings will not be permitted, notwithstanding their perceived design quality. Sod-and-stone banks, **timber railings** and dense hedges behind roadside drainage ditches are the prevalent traditional roadside boundary in County Wicklow - it will be a normal requirement of permission that such boundaries be provided or reinstated.

~~Existing side or rear boundaries, particularly mature field boundaries, should be maintained. Where new boundaries are required, they should not comprise solid walls or long straight, dense lines of evergreen trees. Instead clusters of trees at strategic locations around the site, which will appear more natural in time, will be preferred."~~

xiii. Section 6.4.3 Heading 'Driveways and hard surfaced areas'

Amend as follows:-

~~"Driveways shall be of suitable gradient (1:40 for first 6m from the public road and not exceeding 1:10 thereafter) and length should be kept to the minimum necessary to avoid scarring the landscape. In highly scenic locations, applicants may be required to leave driveways only roughly surfaced to give a natural appearance. All driveways shall provide sufficient area for car parking and turning on site. However, large hard paved car parking / turning areas, particularly to the front of the site, should be avoided."~~

Completely circling the house with hard surfaced areas / paths should be avoided - where possible, the garden should be brought right up to the house"

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**Managers Opinion**

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- i. This is the standard condition that is being applied to 'granny flats' by both the Planning Authority and An Bord Pleanala. It is considered reasonable that the independent unit should revert back into the main house, as by definition, such flats are ancillary to the main house. The objective does clearly allow an extension of the time to be considered.

- ii. Shared private wastewater treatment plants that have been approved in the past have almost without exception proven to be problematic and present particular difficulties with regard to the standard of construction, ongoing maintenance and long term legal responsibility. In particular it is virtually impossible to enforce compliance as it is legally cumbersome to pursue several individuals for collective transgressions. The pollution risk from such systems is high and having regard to the Local Authority's obligations under the Water Services Act, the Water Framework Directive, the Groundwater Directive and other legislation, it is considered that the 'precautionary principle' should apply and such systems should not be considered. It should be noted that the plan does not provide restrictions for the provision of 'public' wastewater system provided by private individual i.e. the provision by a private developer of a system that will become part of the public system and operated by the Local Authority. The provision of such systems is and will continue to be by agreement with the Local Authority.
- iii. It is national and regional policy that urban generated housing demand not be provided for in the rural area. The settlements in Level 6 are designated 'Rural' in the settlement hierarchy and in theory, they should therefore not allow for any growth generated in urban settlements i.e. Levels 1-5 of the settlement hierarchy. However, the draft plan allows for 50% of all new houses in these 'rural towns' to be sold on the open market with no restrictions. Further, it allows for the remaining 50% to be occupied by anyone from Level 4 and down in the hierarchy. Clearly the quantum of 'urban generated' housing that is provided for by such controls is significant, contrary to national and regional policy. Therefore no change is recommended.
- iv. This is a similar issue to (iii) above, however, it is even more pronounced in Level 7 settlements, which are rural villages, often with limited services. The draft plan already allows for considerable 'urban generated' housing in such settlements, with no controls of 25% of houses and some controls of another 50%, with only 25% of units being restricted to those with a rural generated housing need. No change is recommended.
- v. The response to (iii) and (iv) address this issue. No change is recommended
- vi. Table 6.4 relates to small villages and sets an indicative target for growth of 195 units across the 19 villages in this category. It does not relate to rural clusters. As set out under the heading 'Rural Clusters' the target for growth for the clusters is in the order of 80 units between 2006 and 2016.
- vii. Objective RH13 already allows for housing demand generated in Levels 6-10 of the settlement hierarchy. It precludes urban generated housing growth i.e. demand from

the urban settlements in the County (Levels 1-5). This is considered reasonable as housing in rural clusters essentially comprise rural housing and it is national and regional policy that urban generated housing not be provided for in the rural zone. However, the objective proposed is likely to effectively manage excess demand and is therefore considered reasonable to incorporate.

- viii. The key to this objective is that the structure being replaced with a new dwelling is in fact a dwelling. Whether a structure actually can legally be deemed a 'dwelling' will depend on a number of factors including (a) the purpose for which the structure was first built, (b) whether any change of use away from habitable use has occurred, (c) whether the dwelling has been abandoned and if so, for what length of time. It is not critical that the plan indicate how a structure should be assessed and therefore the text relating to abandonment can be omitted, but will in reality still be applied as a test.
- ix. Isolated development presents many difficulties including (a) distance from services and difficulties in even getting basic services like electricity to the site, (b) social isolation, (c) car dependency and (d) landscape impacts. It is considered in the interests of sustainable development to indicate the Planning Authority's position that such sites should be avoided, but the draft plan does not state that such sites are precluded for consideration. Therefore no change is recommended.
- x. It is standard practice, by way of planning condition, that houses be built into the slopes of hillsides. The visual impacts of houses on built up plateaus can be significant on hillsides. However, it is agreed that it is not necessary to set a specific standard in this regard.
- xi. The purpose of Section 6.4.3 is to provide guidance to rural house applicants and to guide them in the direction of the best quality housing possible. It is considered that the guidance included in the draft plan is best practice and similar guidance is provided in many design guides. However, it is agreed that some of the text may be overly prescriptive and it is recommended that the text be amended.
- xii. It is unclear why the text suggested to be excluded is objectionable. The first exclusion requires the planting of trees along front boundaries as is normal and best practice. The second exclusion relates to field boundaries and requires that long walls or straight lines of trees be avoided. The provision of boundaries in such form does not allow for good integration into the landscape and in fact can make a development more intrusive on the landscape. Therefore no changes are recommended. The additional text suggested is considered acceptable.

- xiii. It is unclear why the text suggested to be excluded is objectionable. Again, it is normal and best practice to provide driveways with a safe gradient and to minimise the impact of driveways and hard surfaced area on the landscape. These will be required for traffic safety reasons in any case, and deleting this advice will prevent applicants of knowing what are the design requirements. Therefore no change is recommended.

### Manager's recommendation

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Amend the plan as follows:-

## Chapter 6 'Rural housing & development'

### Section 6.3.1 Rural Settlements

**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><b>Proven Need</b> for new housing, and</p> <p>Meet <b>Local Growth</b> criteria, with the following limitation:</p> <p>Residents of <del>Level 6 &amp; 7</del> <b>Levels 1-5</b> will <b>only</b> 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>

### Section 6.3.2 Heading 'Replacing or renovation an existing rural structure'

"Applications for a new rural dwelling will be positively considered where the new dwelling is replacing an existing rural dwelling that has become obsolete or is not suited to modern accommodation needs. It will be necessary for the applicant to demonstrate that the structure being replaced is in fact a 'dwelling' ~~and its residential use has not been abandoned.~~"

#### Section 6.4.3 Heading 'House position & siting'

"On sloping sites, houses will normally be required to be built into the slope of the site, ~~so that the finished floor level of the house is not more than 0.15m above the existing ground level to the front of the house.~~ However, deep excavations should also be avoided as these in themselves can cause a scar on the landscape. Where steeply sloping sites cannot be avoided, design solutions must be considered to minimise the impact, including for example the use of stepped or split level housing"

#### Section 6.4.3 Heading 'Dwelling format & shape'

"The key requirement for rural houses is that they be absorbed by the landscape. Dwellings should thus blend in and not dominate the local landscape, or stick out by reason of scale, form, or detail. Dwellings should be simple in format and shape and an excessive number of block shapes and heights, roof pitches and shapes, add-ons, wings, protruding windows (such as bay windows), porches, conservatories etc should be avoided. The main body of the house should be the dominant element and be clearly distinguishable, and if necessary, one or a number of smaller, suitably designed projections attached to the main house may be provided to break up the overall mass of the structure.

~~'Deep plan' houses (i.e. houses that are two rooms 'deep' with a central dividing corridor) should be avoided, as this format overly constrains the options for the format, design, roof style and glazing layout of the house and also results in poor use of natural lighting.~~

While symmetry is not required, houses should be well 'balanced'. This will mean that any projections to the main body of the house will require to be sensitively designed and located and not cause the house to look 'lop-sided'.

~~Generally, the following characteristics should be integrated into a new dwelling~~

- ~~—— low eaves~~
- ~~—— narrow plan~~
- ~~—— 35-55 degree roof pitch~~
- ~~—— vertical emphasis to gables~~
- ~~—— sturdy and solid~~
- ~~—— flat fronted"~~

#### Section 6.4.3 Heading 'Walls & boundaries'

"The design of walls and boundaries, particularly those along public road frontages, shall be suitable to the rural location. In the first instance, existing hedges and trees lining boundaries should be maintained. However, where they require to be removed for sightline or other reasons, they shall be replaced by a similar hedge of native species interspersed with suitable native trees. Long stretches of solid walls or railings will not be permitted, notwithstanding

their perceived design quality. Sod-and-stone banks, **timber railings** and dense hedges behind roadside drainage ditches are the prevalent traditional roadside boundary in County Wicklow - it will be a normal requirement of permission that such boundaries be provided or reinstated.

Existing side or rear boundaries, particularly mature field boundaries, should be maintained. Where new boundaries are required, they should not comprise solid walls or long straight, dense lines of evergreen trees. Instead clusters of trees at strategic locations around the site, which will appear more natural in time, will be preferred."

## Section C

### Issues raised

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i. Section 7.4

Table 7.3 - All settlements should have the same economic function and investment targets

ii. Section 7.4.3

Amend Objective EMP14 as follows:-

"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, ~~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."~~

iii. Section 8.3.1

Amend Objective RUR3 as follows:-

"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 ~~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.~~" and will have a positive impact on the location"

iv. Section 8.3.1

Amend Objective RUR6 as follows:-

"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"~~

### Managers Opinion

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- i. In accordance with the National Spatial Strategy 2002 – 2020 and the Regional Planning Guidelines for the Greater Dublin Area, growth should be focused on the growth centres in the County, and this table represents these national and regional strategies. It is not appropriate for small settlement to have the same economic function as large settlements. Clearly such rural and village type settlements are not suitable for large scale employment / commercial / industrial development, by virtue of their rural character, lack of mass of population, distance to transport networks and other services, amongst other issues. Therefore no change is recommended.
- ii. This is a similar issue to (i) above. It is national and regional policy as well as best practice to direct large scale employment developments into designated growth towns, where zoned and serviced land is available. As nearly every settlement has had a local Plan adopted in the past 4 years, it would make no sense not to direct development to such sites that have already gone through a public process and approved by the members. It is possible that the concern is that this objective would preclude employment development outside of the principal growth towns – however, it is clear from the entirety of Chapters 7 and 8 that this is not the case.  
It is unclear why the provisions relating to Mobility Management Plans and design standards are objectionable. Therefore no changes are recommended.
- iii. Objective RUR3 relates to commercial development in rural areas that are 'resource based'. The reason for the exclusion of certain text is unclear, but it is perhaps to eliminate the linkages to rural resources. However, Objective RUR4 clearly sets out that small scale commercial / industrial development in rural area not dependent on rural resources can be considered where certain criteria are fulfilled.



It is important that the plan specifies some control measures for industrial / commercial development in rural area, other than it provides a 'positive impact' as this term is not defined and could be open to divergence in interpretation. Therefore no change is considered necessary.

- iv. It is considered appropriate that home based economic activity should be appropriate in nature and scale to the rural environment and it is therefore recommended that this provision be retained. Furthermore it is considered reasonable that such developments be monitored (the 5 year provision) and that the scale be limited, given the sensitive and vulnerable nature of the rural areas, the traffic and emissions that may be generated and the overall impacts that may arise on rural and visual amenity.

**Manager's recommendation**

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No change

## Section D

### Issues raised

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i. Section 11.4.2

Include the following as regional road works objectives

- to widen the bridge over the River Slaney on the R747 at Baltinglass to facilitate pedestrian use
- to improve the junction of the R753 with the R752 at Rathdrum.

ii. Section 11.7.1 Heading 'Bus Network'

- should include the provision of bus shelters for school children at appropriate locations

iii. Section 12.4

Amend Objective WW4 as follows:-

**WW4** Private wastewater treatment plants for multi-house developments will ~~not be permitted~~ only be permitted where clearly demonstrated when the proposed system can meet EPA and Local Authority environmental criteria

iv. Section 13.8.2

Amend 1st bullet point as follows:-

"The design and layout of all individual and multi house developments shall provide for on site waste storage (including recyclables) and composting facilities ~~where no alternative is available~~"

### Managers Opinion

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- i. The County Development Plan is intended to be strategic document and therefore only lists those improvements to the regional road network with a strategic dimension are listed. However, the draft plan does not preclude other more localised improvement schemes, such as those suggested. It is considered that local road improvements in towns should be dealt with in town plans. In fact the Baltinglass Town Plan includes an objective regarding pedestrian facilities on the Slaney Bridge. Therefore no change is recommended.
- ii. Section 11.7.1. makes provision for bus shelters being "sited and designed with due cognisance of both the needs of the bus users and bus routes". It considered that this addresses all bus shelters needs where they arise, including at schools. Therefore no change is recommended.
- iii. This issue has already been addressed earlier in this submission.

- iv. The purpose of the proposed change is unclear, but it is possible that what is being suggested that provision for recycling and composting facilities should not be needed to be provided on sites where other facilities, such as public bring centres, are available in the locality. This provision relates to the household and to individual house sites and requires that households all have the capacity to store their own materials. This is considered reasonable and provision should be made at the design stage of any development to ensure that there is adequate space in a side / rear garden or at a communal facilities to store all such materials. Therefore no change is recommended.

**Manager's recommendation**

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No change

#### 4.12 CLLR THOMAS CULLEN WCC

##### Issues raised

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##### Section B

##### Chapter 6 "Rural Housing & development"

##### Section 6.3.2 'Houses in the open countryside'

Include provision for the granting of permission to applicants where through reasons of the health of family members or birth invalidities that the construction of a more suited residential dwelling would be required to meet these special health circumstances of the family; that special provision shall be made to allow the family to construct an alternative house more suited the their medical requirements. Subject to professional medical confirmation of these new house requirements.

##### Managers Opinion

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The inclusion of such a provision is considered somewhat problematic as it will be very difficult to make a judgement on the validity of all claims, particularly when all may be accompanied by a medical certificate. It is considered however that where are applicant otherwise meets the provisions of the rural housing policy, but is being considered for exclusion due to ownership of an existing rural house, that if it can be shown that the existing rural house is prejudicial to their health and well being, that positive consideration should be given.

Objective RH14 clearly states that "*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*" the proposal will be supported. This does not preclude those who already own a house and but does require them to provide details of their genuine housing need in order to be considered for a new house. It is considered that this objective addresses the concern raise in the submission.

##### Manager's recommendation

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No change

#### **4.13 CLLR TOM FORTUNE WCC / GTC**

##### **Issues raised**

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##### **Section B**

i. Chapter 4, Section 4.4.2

Population of target for Kilcoole of 5,000 by 2022 should include the headroom calculation and not be in addition to headroom

ii. Chapter 4, Section 4.4.3

Objective should be included regarding protecting the greenbelts between Kilcoole and Greystones

iii. Chapter 5, Section 5.3.3

The projected growth in population in Kilcoole requires to be match by increase in schools provision, community, healthcare and Gardai facilities and public transport services

##### **Section C**

iv. Chapter 7, Table 7.3

Kilcoole is identified as an investment target for local investment, product intensive industries with some people emphasis. An analysis of current industrial / warehousing needs should be carried out to establish whether the current industrial / warehousing units / estates are fully occupied and to establish the use of these units. Once this survey has been carried out the result may dictate and re-examination of policy.

v. Chapter 8

Having regard to the pressures on farming and its way of life, it is important to facilitate and encourage diversity of the land. Therefore agri-tourism, forestry and agriculture should be considered in an overall strategy

##### **Section D**

vi. Chapter 12

Water infrastructure should be provided in advance of the adoption of the development plan to ensure that developments permissible under the plan are only permitted where facilities are in place.

vii. Chapter 15, General

- social / community facilities and open space must be provide in advance of the occupation of residential units;
- the reservation of land is not sufficient and the actual provision of these services and facilities is paramount;
- the Play Policy of WCC should be fully implemented immediately.

viii. Chapter 15, Section 15.4

The identification of golf courses as open space should cease

**Section E**

ix. Chapter 16, Section 16.5

- Mass paths and holy wells must be protected in a positive manner and serious consideration must be given to development around and near mass paths and holy wells.
- The impact of vistas to and from these areas must also be considered

x. Chapter 17, Section 17.4

- existing woodlands, trees and hedgerows in Kilcoole must be protected in a positive manner, not only in the planning process but also in the post construction phase

xi. Chapter 18, Cell 5

- this coastal cell should be protected in a positive manner and any form of development in the area should be strictly controlled
- the vistas to and from this area should be controlled

xii. Chapter 18, Cell 6

- this coastal cell should be protected in a positive manner and any form of development in the area should be strictly controlled
- the vistas to and from this area should be controlled

**Managers Opinion**

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- i. The 'headroom' figure in Table 4.4 is the amount by which the total population in the 21 towns in the County exceeds the overall target. The excess is required because it is extremely unlikely and in fact statistically impossible that every one of these 21 towns will reach their precise population target set out for 2016, due to infrastructural capacities, market factors, and the changing attractiveness of different towns at different times. Therefore the population target for Kilcoole in 2022 of 5,000 is the maximum

figure for this settlement at that time and will not need to be exceeded to reach the overall growth target.

- ii. While the current Kilcoole and Greystones – Delgany LAPs show an indicative 'greenbelt' zone, these areas are actually outside the defined LAP boundaries and are not bound by the provisions of the LAPs. These LAPs strictly define their development boundaries and any proposal for development outside the boundary is controlled by the provisions of the County Development Plan. In this regard, numerous objectives throughout the plan control development in such rural areas and given the coastal location of Kilcoole, the Coastal Zone Management Plan (Chapter 18) is of particular relevance. No additional policies or objectives are therefore considered necessary.
- iii. This is agreed, and both the provisions of the Kilcoole LAP and Section C of the draft County Development Plan (Infrastructure) address this issue.
- iv. This table is simply a hierarchy table, and gives perspective to each town vis-a-vis their place in the hierarchy. The LAP recently adopted for Kilcoole designates land for employment purposes that is consistent with this hierarchy. Local survey and analysis is undertaken as part of the local area plan process.
- v. These issues are addressed in Chapter 8.
- vi. In the planning hierarchy, policy makers (be it the Minister at National Spatial Strategy level, the Regional Authority, or the Members at County level) first of all determine where growth should take place. Infrastructure investment should then be based on the population distribution policy. The objective behind this suggested amendment is understood, as is its worth. However, there are adequate objectives in this plan to control development having regard to the provision of necessary infrastructure.
- vii. Where the development of housing land is 'locked in' to the development of community facilities / infrastructure, it is possible for the Local Authority to implement strict phasing controls with regard to the delivery of facilities in tandem, or not far behind, the delivery of houses. However, where this is not possible, the Local Authority is dependent on the receipt of development levies to provide facilities, which can only be collected when development commences. Until such a time as the funding mechanism for Local Government changes, the Local Authority is unlikely to have funds available to provide community infrastructure in advance of development.  
  
It is the function of land use plan to provide facilities – it is to set the framework for the delivery of facilities by the Local Authority or other bodies. The reality for example with the provision of new schools is that new facilities will not normally be provided until the

demand exists. This plan cannot influence how such decisions are made, but can for example, clearly indicate where new schools will be required and where they should be located.

The Play Policy of Wicklow County Council is being implemented through various mechanisms but ultimately the provision of new facilities by the Local Authority is dependent on funding.

- viii. Where golf courses are located within a plan area, they are normally identified as OS as would a football club, which is also in private ownership. However, in the crafting of local plan, golf courses are not included in calculations of 'public' open space.
- ix. With regard to mass paths, the inclusion of ROWs in the County Development Plan was previously considered during the course of both the 1999 and the 2004 County Development Plans and it was decided not to include ROW in either plan. After the adoption of the 2004 plan, a committee was set up to investigate this matter further and it was determined that inadequate information was available draw up a comprehensive or accurate list and that legal difficulties were likely to arise regarding the validity of certain ROWs, lands ownership issues etc. One of the outcomes of the investigation carried out into ROWs was the determination that there would be more benefit for recreational users in Wicklow to pursue an 'agreed access' approach in conjunction with landowners, users and other stakeholders. In this regard, the 'Wicklow Countryside Access Service' a joint project of the Wicklow Rural Partnership and the Wicklow Uplands Council was established. The function of the project is to establish a network of access routes, on private lands in the Wicklow by means of voluntary agreements with private landowners. The project is supported financially by Comhairle na Tuaithe, Wicklow County Council, Wicklow Rural Partnership and Wicklow Uplands Council.

However, where during the local plan making process, undisputed ROWs can be identified, such as mass paths, these are normally protected, such as in the case of the mass path in Kilcoole.

With regard to holy wells, these are normally sites of archaeological significance and are therefore protected as a matter of course through both national legislation and the provisions of County and local plans.

In the drawing up of list of views and prospects, views to and from recorded sites or locations of historical or cultural significant was considered.



- x. This plan makes provision for the protection of woodlands, trees and hedgerows, whether they are specifically listed for presentation or not. These provisions apply at all times, not just during construction projects.
- xi. This is the intent of the Coastal Zone Management Plan
- xii. This is the intent of the Coastal Zone Management Plan

**Manager's recommendation**

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No change

#### **4.14 CLLR PAT KAVANAGH WTC**

##### **Issues raised**

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##### **Section D, Chapter 15**

The plan should

- zone or designate lands to provide to the general public plots of land suitable for the development of allotments
- identify suitable public lands, large and small, including roadside verges, ditches and other small patches of land for the planting of native Irish fruit and nut trees
- develop a cohesive plan in relation to biodiversity and the planting of wildflowers and shrubs, with a particular emphasis on promoting the healthy status of bees which are increasingly under threat. Without bees to pollinate crops, we could all face food shortages in the future. Proper planning to avoid such catastrophe needs to begin now.

##### **Managers Opinion**

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- It would not be practical to designate land for allotments, as such land will only become available if landowners decide it is in their interest. There is an abundance of suitable land available that fits in with Section 15.4 and Objective OS4 of the plan (which encourage the development of allotments) and it is thus not considered necessary to specifically designate particular lands for this purpose.
- There is no need to designate lands for such purposes, as planting of such trees is exempt from planning, and thus they can be planted anywhere.
- This is a land-use plan. Such an objective is better dealt with in Wicklow's Local Biodiversity Plan.

##### **Manager's recommendation**

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No change

#### **4.15 CLLR DEREK MITCHELL WCC/GTC**

##### **Issues raised**

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##### **Section C**

i. Chapter 8 - the plan should include a provision that agricultural type buildings that are erected for non-agricultural purposes should be demolished.

##### **Section D**

ii. Chapter 11, Section 11.4.1

Work objectives for the N11 - 4th bullet point should limit the extent of the N11 improvement to Glen Of the Downs overbridge

iii. Chapter 11, Section 11.6

Objective PHM1 - a single port should be selected for expansion as funding would not be available to expand both Arklow and Wicklow.

Objective should be included for a study into the future of County's ports

##### **Section E**

iv. Chapter 18 - There should an objective to provide a coastal walk from Bray to Wicklow Town

v. Chapter 18, Cell 2

Amend 1st sentence as follows

"This cell extends from the Brandy Hole in the north to the Cliff Road at Wingates in the south **bounded by the current R761**. This is an area of high amenity under considerable pressure from development, coastal erosion, trespass and fire. Public access to Bray Head is provided via a public right of way along the cliff path, which extends from Bray to Greystones and numerous other paths and tracks.

**Most of** this area has been designated a Special Amenity Area under Section 202 of the Planning & Development Acts (SAAO). A SAAO is designed to protect areas that are of particularly high amenity value, which are sensitive to intense development pressure and which cannot be adequately protected by existing planning controls. As a candidate Special Area of Conservation, flora and fauna are particularly significant. Many of the species found within this area are listed for protection under the EU Directives and the Wildlife Act, and these designations are upheld in the Order. In both the Bray and Wicklow Development Plans, important views and prospects of the Head are listed for protection."

### **Managers Opinion**

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- i. There are numerous exemptions for agricultural buildings in the Planning and Development Regulations. Should such a building be constructed for other purposes it would be unauthorised and be subject to enforcement. There is no necessity for a policy for this as it is covered by Statutory Instruments
- ii. The plan does not specify the extent of desired improvements to the N11 and it is not considered appropriate to include such specifics in a strategic land use plan. The final design of any road improvement project will be a matter for the NRA, following the normal design and public consultation process.
- iii. While it is unlikely that there would be investment available for both ports, it would be premature to prioritise either port at this stage. Arklow has an existing deep water port, whereas Wicklow has far better road connections.
- iv. While it would be desirable to have a study carried out into the future of Wicklow's ports, it is not known if any funding will be available for such a study during the lifetime of this plan and any objective to this effect would be aspirational and potentially unimplementable and therefore inappropriate to include.
- v. There is already such an objective (AW5) in Chapter 17, Section 17.7 'Recreational Use of Natural Resources'
- vi. This amendment strengthens the text and it is recommended that the text be amended as suggested.

### **Manager's recommendation**

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Amend the plan as follows:-

### **Chapter 18 'Coastal Zone Management'**

#### **Cell 2 Bray Head**

This cell extends from the Brandy Hole in the north to the Cliff Road at Wingates in the south, **bounded by the current R761**. This is an area of high amenity under considerable pressure from development, coastal erosion, trespass and fire. Public access to Bray Head is provided via a public right of way along the cliff path, which extends from Bray to Greystones and numerous other paths and tracks.

**Most of** this area has been designated a Special Amenity Area under Section 202 of the Planning & Development Acts (SAAO). A SAAO is designed to protect areas that are of particularly high amenity value, which are sensitive to intense development pressure and which cannot be adequately protected by existing planning controls. As a candidate Special Area of Conservation, flora and fauna are particularly significant. Many of the species found

within this area are listed for protection under the EU Directives and the Wildlife Act, and these designations are upheld in the Order. In both the Bray and Wicklow Development Plans, important views and prospects of the Head are listed for protection.

#### 4.16 CLLR IRENE WINTERS WCC/WTC

##### Issues raised

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##### Section A

i. Chapter 1 - The plan does not make adequate provision for implementation and monitoring

ii. Chapter 2 - Section 2.3.5

The follow new text should be included

##### ***Local plans and other studies***

*The planning authority may consider preparing framework plans and / or master plans to provide more detailed design guidance for large scale mixed use development, for example, to indicate an overall structure for a new neighbourhood. On a smaller scale, village design statement may provide useful supplementary guidance where a local area plan would not be feasible. In the case of all such non-statutory documents, the policy context will be set by statutory plans, with the objective of providing detail design guidance. Where such non-statutory document are used for development management, the planning authorities will incorporate them in the development plan or the local area plan for the area by way of variation. In the case of master plans for large development areas, planning authorities will consider whether key components should be incorporated into the development plan of local area plan by way of variation. Public consultation will be integrated into the preparation of non-statutory frameworks, such as Action Area plans.*

##### Managers Opinion

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i. This is noted and accepted. It is recommended that a new chapter be include in the plan entitled Chapter 19 'Implementation and monitoring' as set out in Section 3 of this report and on foot on this and other submissions (see submission from An Taisce).

ii. Where large tracts of land is being zoned in the County, through the local area plan or town development plan process, the Planning Authority has and will continue to require masterplans where deemed necessary. There has only been one case to date where this has been required (for Fassaroe in Bray) and this was a clear requirement of the LAP. However, there are no other such large tracts of zoned land within the County that would justify such an approach at present, and it would thus not add to the plan to include such a requirement.

Village design statements have been carried out previously and subject to the level of competition for resources could be prepared for other villages in the future. However, it is considered that if such plans are thought necessary that it would be better to prepare

a plan that would be adopted through the variation process, in line with the procedure outlined in the introduction to Volume 3 of this Plan. This will put such village plans on a statutory basis and include statutory consultation.

Nearly all of Wicklow County Council's local plans include Action Areas. These are areas within a local plan that have a series of dependent land uses that could include education, open space housing etc., the aim of which is to ensure that not only lucrative parts of the development objectives are carried out. These Action Areas require landowners to come together to produce a phased plan showing how all the objectives can be delivered, and some include through roads. These Action Area Plans fit somewhere in between the hierarchy of masterplans and village design statements. Currently these Action Area Plans are approved by the County Manager, and there is no formal public consultation. Such consultation has not been thought to be needed as the Action Areas would have already gone through the statutory plan public consultation.

#### **Manager's recommendation**

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Add new Chapter 19 'Implementation and monitoring' (as set out in Section 3 of this report)

## SECTION 5

## PUBLIC SUBMISSIONS

### SECTION A

### INTRODUCTION, CONTEXT & VISION

### CHAPTER 1

### INTRODUCTION

#### Summary of issues raised

53	Delgany Community Council	It is suggested that there is a lack of enforcement of the provisions of the County Development Plan and national policies / guidelines. There requires to be a clear strategy regarding the implementation and monitoring of the plan as well as educating elected representatives, in-house staff and the general public.
74	Greystones Traders	It is suggested that there was not sufficient public consultation with interested bodies and government representatives at local level regarding the drafting of the development plan.
85	Keep Ireland Open	It is suggested that Section 1.4 "Enforcement" be omitted entirely and replaced with the text regarding enforcement set out in the current County Development Plan 2004-2010.
145	The Campaign for Sustainable Rural Housing	It is suggested that the operation and implementation of Section 48 Development Contribution Levy scheme should be examined to ensure that the form of development that places the most cost on public services (i.e. rural dwellings) does not pay the lowest form of levy.
159	Construction Industry Federation	It is suggested that there should be a reasonable and transparent use of development levies that have been collected from planning applications and that the development plan should contain a list of projects funded under the relevant Development Contribution Scheme.



## **Manager's opinion**

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- i. The Local Authority in its plan making and decision making functions, must have regard to national strategies, policies and guidelines and the draft plan has been drawn from all relevant documents. In its own development and in the assessment of planning applications, the Local Authority is bound by the provisions of its own Development Plan as well as any relevant primary and secondary legislation as well as any other statutory obligations. This plan, as with previous plans, will be implemented, monitored and enforced during its lifetime. Local Authority staff and elected representatives are kept apprised of the contents of the Development Plan. During the plan making process, the Council endeavours to draw the public into the process and to educate, but individuals often only become aware of the provisions of a plan when it starts to affect them. Unfortunately if people are not interested in local development and political issues, it is very difficult spread knowledge of the functions of local government or its policy documents.
- ii. Two rounds of public consultation have been carried out with regard to the draft County Development Plan to date. The initial period in late 2008 entailed publication of advertisements in local and national press and on the website, erection of posters in Council offices and libraries, publication and distribution of an 'Issues Booklet' and the holding of public meetings, including one in Greystones. All public representatives were advised of this process, as well as all prescribed bodies under the Planning Acts and local interest groups. The considerable number of public submission received at that stage from all around the County would suggest that there was good public notification of this process.  
  
The publication of the draft plan was also accompanied by media advertising (press and radio), erection of posters in and the distribution of the plans to all Council offices and public libraries and public meetings, including one in Greystones. Again, all public representatives were informed of the consultation process.
- iii. The wording change with regard to 'Enforcement' is very minor and essentially states the same position that the Council will control development in accordance with the County Development Plan and the principles of proper planning and sustainable development. It is suggested that the 2004 wording is more 'positive' in that it states 'the Council will be proactive in the consistent application of enforcement legislation'. It is immaterial whether the word 'proactive' appears in the plan, the Council will continue to carry out its enforcement function as it has done heretofore, and given the performance of Wicklow County Council's enforcement section, which ranks extremely highly in the state, there is clearly no issue with the Council's performance in this regard.

- iv. Contributions are levied in accordance with the Contribution Scheme drawn up in accordance with Section 48 of the Planning Acts and as adopted by the elected representatives of the Council. This scheme lists all of the projects which are to be funded by levies collected. The collection and disbursement of monies is monitored by the Council and the efficiency and transparency of data collection is currently undergoing review and improvement. This is outside the scope of this land-use plan.

**Manager's recommendation**

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No change

## CHAPTER 2 STRATEGIC CONTEXT

### Summary of issues raised

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53	Delgany Community Council	The draft plan takes no account of the recently published Planning and Development (Amendment) Bill 2009
85	Keep Ireland Open	While it is noted that the County Development Plan process is not in line with the review of the Regional Planning Guidelines for the Greater Dublin Area, it is suggested that if the new Regional Planning Guidelines are adopted prior to the adoption of the County Plan, the plan should be consistent with the Guidelines.  It is suggested that Section 2.3.5 "Local Plans & other studies" should reflect the adoption of the County Heritage Plan 2009-2014.
149	David J Walsh	It is suggested that the plan is over-reliant on Government Guidelines and Strategies in the formulation of its objectives.

### Manager's opinion

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- i. The draft County Development Plan was written prior to the publication of the Planning and Development (Amendment) Bill 2009 and therefore could not have taken it into account. However, in response to this and other submissions, it is recommended that the plan be amended to address the pertinent provisions of the Bill, as raised in the submission of the Department of the Environment, Heritage and Local Government.
- ii. This plan is due to be adopted in Autumn 2010, which will be prior to the adoption of the new Regional Planning Guidelines. However, the draft RPGs were published in January 2010 and the provisions of same will be incorporated where necessary. In particular, it is recommended in this report that the population and settlement objectives of the draft RPGs will be reflected in this plan.
- iii. The Planning and Development Acts 2000-2008 require development plans to have regard to higher order strategies such as the National Spatial Strategy 2002 – 2020 and the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 along with Ministerial guidelines and other national or regional strategies.

**Manager's recommendation**

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Amend the plan as required in order to ensure consistency with the Regional Planning Guidelines for the Greater Dublin Area 2010-2022 (as set out in Section 3 of this report)

CHAPTER 3 VISION & STRATEGIC GOALS

Summary of issues raised

64	Eirgrid plc	<p>i. It is suggested that the draft plan would include an overall objective on energy and renewable energy in line with the White Paper on Energy, "Towards A Sustainable Energy Future for Ireland", the Energy Policy Framework 2007-2020. In addition it is also suggested that the development plan makes reference to government's energy strategies and the relevant bodies that are mandated to implement these strategies;</p> <p>ii. It is suggested that there would be an overall objective included in the plan of the Government's objective of achieving 40% renewable energy by 2020 which would be facilitated by the development, strengthening and reinforcement of the Grid;</p> <p>iii. It is suggested that the draft plan would include an overall objective to support and facilitate bulk energy infrastructure and detailed maps would be included in the proposed development plan that indicate proposed and existing Grid in the country.</p>
153	Wicklow Uplands Council	<p><b>Goal 1</b> It is suggested that the NSS and RPGs are overly restrictive in population targets for rural areas that there is over emphasis in urban settlements. It is suggested that there should instead be a firm commitment on economic development in rural parts of the County.</p> <p><b>Goal 2</b> It is suggested that this goal is not being fulfilled through the objectives in the plan relating to rural and upland areas</p> <p><b>Goal 3</b> It is suggested that transport policies favour the commuting public at the expense of local / rural / tourist traffic.</p> <p><b>Goal 5</b> The retail policies which direct new retail development principally into urban settlements contradicts this goal</p>

		<p><b>Goal 6</b> Should be amended to address:</p> <ul style="list-style-type: none"><li>- Diversification of the rural economy into alternative resource and non-resource based industries</li><li>- Rural housing based on established need and strengthened structures for villages, smaller settlements and other rural areas that sustain and revitalise established rural communities</li><li>- The changing nature of the rural economy by promoting diversification of employment options.</li></ul>
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### Manager's opinion

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- i. Goal 1 – The Planning and Development Acts 2000-2008 require development plans to have regard to higher order strategies such as the National Spatial Strategy 2002 – 2020 and the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 along with Ministerial guidelines and other national or regional strategies. The draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022 give clear and specific guidance with regard to population allocation in the County, with the largest part of the growth allowed to be allocated to urban areas, in accordance with Government policy. However, the national and regional strategies acknowledge the housing needs of rural persons and this is reflected in the *Sustainable Rural Housing Guidelines* (DoEHLG 2005). The draft plan acknowledges that rural areas will continue to growth throughout the plan period, and in fact makes allowance for the 'rural' population to grow from c. 33,500 persons in 2006 (this includes all in rural villages and in open countryside) to c. 40,000 persons in 2022, a growth of almost 20%.
- ii. Goal 2 – this states that it is the aim of the plan to facilitate and encourage economic activity in all part so of the County, across all economic sectors. It is considered that this goal will be facilitated by the implementation of the strategies, policies and objectives set out in Chapters 7-11 of the draft plan.
- iii. Goal 3 – this issue raised is not completely clear, but it is considered that the policies and objectives set out in Chapter 11 address the transport needs of both urban and rural areas.
- iv. Goal 5 – the draft retail strategy for the County as set out in the Chapter 10, is considered to address both urban and rural retail needs.

- v. It is considered that Goal 6, and the policies and objectives that flow from it throughout the plan, address all of the issues raised in the submission.
- vi. Goal 10 address the area of climate change and renewable energy and specifically sets out the following as strategic policies:-
  - To have regard to the National Climate Change Strategy (2007), the Government White Paper "Delivering a Sustainable Energy Future for Ireland - The Energy Policy Framework" (2007), the Wind Energy Guidelines for Planning Authorities (2006) and the Planning & Development Acts 2000 – 2007 in the development of appropriate strategies and objectives for the development of alternative and renewable energy, in particular Wind Energy;
  - To reduce energy demand in the areas of primary consumption being transport, electricity and heating, particularly through improved integration of land use and transportation planning and higher standards of building design;
- vii. Through Goal 10 and the strategies, policies and objectives that emanate from it throughout the plan, in areas such as settlement strategy, land use and transportation, green design, energy supply and demand, it is the intention that the plan will provide the right framework for the delivery of national renewable energy options and energy reduction.
- viii. The draft plan does include a number of objectives to support the electricity transmission network, i.e.
  - GE1** To support the development and expansion of the electricity transmission and distribution grid, including the development of new lines, pylons and substations as required;
  - GE2** To suitably manage development within 35m of existing 110KV/220kV transmission lines;
  - GE3** To support and facilitate the development of landing locations for any cross channel power interconnectors.

It is not pertinent for the Plan to include drawings of all distribution infrastructure in the County. This would be better served by EirGrid publishing this themselves.

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**Manager's recommendation**

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No change

**SECTION B                      HOUSING & DEVELOPMENT**

**CHAPTER 4                      POPULATION, HOUSING & SETTLEMENT STRATEGY**

**TOPIC 1:                      COUNTY POPULATION PROJECTIONS**

**Summary of issues raised**

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53	Delgany Community Council	Population growth targets for the County should be reviewed in light of the current economic circumstances
153	Wicklow Uplands Council	As Wicklow's population growth is below the regional average, population increases even in remote areas should be pursued.

**Manager's opinion**

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The County Development Plan is required to be consistent with higher order plans and guidelines as well as the policies of Government. While it is recommended to amend Chapter 3 and 4 in light of new data available since the publication of the draft plan, the population targets set out by the Spatial Policy Unit of the DoEHLG and the Regional Authority (as set out in the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022) will be adhered to in the plan. Development Plans have to accommodate medium to long term requirements and cannot be ruled by short term events influenced by the vagaries of the economic cycle.

The development plan supports sustainable rural population growth and estimates a growth in 'rural' population from c. 35,500 in 2006 to c. 43,000 in 2022. It is not considered appropriate to specifically direct this growth to dispersed remote areas, as this would be contrary to the principles of sustainable planning and would have adverse significant impacts on the environment, community and landscape.

**Manager's recommendation**

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No change



**TOPIC 2: POPULATION ALLOCATION**

**Summary of issues raised**

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21	bba architecture	The population allocation for Greystones should be upwardly revised in line with the Regional Planning Guidelines for the Greater Dublin Area
51	Eamon de Buitlear	The population allocation for Greystones - Delgany should be downwardly revised as there is no capacity in Delgany to accommodate further growth without severely impacting on the character of the village.
52	Stephen Deegan	The projected population increase in Blessington and the facilities that will be required for this growth should take account of potential impacts on neighbouring villages such as Ballymore Eustace.
53	Delgany Community Council	The target for the growth in the number of rural houses by 1,800 up to 2022 is excessive and does not constitute sustainable development
108	New Quarter Ltd	The population allocation for Greystones should be upwardly revised in line with the Regional Planning Guidelines for the Greater Dublin Area and the existing LAP
152	Wicklow Town & District Chamber of Commerce	The population allocation for Wicklow Town should be upwardly revised in line with the Regional Planning Guidelines for the Greater Dublin Area

**Manager's opinion**

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While the RPGs designate Wicklow Town a 'Large Growth Town I' and indicate that such settlements will normally be in the population range 25,000-40,000, there is no policy or implication in the RPGs that towns in this category should endeavour to reach the upper end, or even the lower end, of that range. The population allocated to Wicklow Town in the draft CDP is in accordance with the guidance set out in the draft RPGs 2010-2022.

Similarly, while the RPGs designates Greystones a 'Large Growth Town II' and indicate that such settlements will normally be in the population range 15,000-25,000, there is no policy or implication in the RPGs that towns in that category should endeavour to reach the upper end of that range. The population allocated to Greystones in the draft CDP is in accordance with the strategy and guidance set out in the draft RPGs 2010-2022. The current Greystones – Delgany LAP was crafted with a population of target of 19,000-21,000 in 2012. This was

based on an estimate population of 17,679 in 2010 and a target of 22,000 by 2016 in the 2004 County Development Plan. As part of the review of the current CDP, all population targets were reviewed having regard to the 2006 Census and the number of additional units built or permitted after the Census. Using this data, as well as data from the GeoDirectory, it is estimated that the population of Greystones in 2010-2011 will be more in the order of 16,000 rather than 17,679 and therefore the growth target for 2016 has been revised slightly downwards from 22,000 to 21,000 reflect this slower growth and the growth pattern likely to emerge during the course of this plan.

The issue raised regarding population in Blessington appears to be more related to the provision of services. When a local plan is drafted for Blessington, it will ensure that services to be provided in the town meet the needs of both Blessington and its rural environs, having regard to its role as a serving centre for a wide rural area.

With regard to the project growth in rural population from 30,328 to 35,278 in 2022, it is considered that the plan must recognise the rural character of the County and the needs of rural residents, as is set out in "*Sustainable Rural Housing - Guidelines for Planning Authorities*" (DoEHLG 2005). In this regard, there will always be a genuine demand for rural houses by genuine rural applicants who have a strong connection to and a necessity to live in a rural area. This growth figure included in the draft plan was based on the observed natural increase in rural housing over the last number of Censuses, and while the absolute numbers are likely to increase, overall there will be a reduction in the proportion of the County's population living in the open countryside from 24% in 2006 to 18% in 2022. This is considered to be fully in line with the overall settlement strategy of the County and with sustainable planning.

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#### **Manager's recommendation**

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No change

**TOPIC 3: SETTLEMENT STRATEGY**

**Summary of issues raised**

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51	Eamon de Buitlear	Delgany should be re-categorised a 'rural town' with lower levels of growth.
53	Delgany Community Council	The settlement strategy of Wicklow has not been successful in directing growth into the larger settlements.
70	Flynn Family	The designation of Donard as a 'rural town' is welcomed.
83	Tony Kearns	The designation of Enniskerry as a Small Growth Town is inappropriate and it would be more appropriate to redesignate it a 'heritage village'
96	Paul Leahy	<ul style="list-style-type: none"><li>i. The designation of Wicklow and Arklow should reversed having regard to the larger population and the fewer environmental sensitivities in Arklow</li><li>ii. The development of towns and villages should be encouraged in a sustainable manner, which takes account of the existing rural environment</li><li>iii. New housing development should be restricted to local families and people working in the County</li><li>iv. Future housing development should only be facilitated at appropriate densities where adequate community and social infrastructure is in place</li></ul>
145	The Campaign for Sustainable Rural Housing	Urban generated one-off rural housing should not be permitted in rural areas
146	Treasury Holdings	Restricting the occupancy of dwellings is excessive and restrictive to the growth of the County
149	David J Walsh	Delgany should not be included as part of the settlement of Greystones and should be redesignated as a 'village'
159	Construction Industry Federation	The 'local need' restrictions in urban settlements should be removed as they reduce the vitality of urban areas

**Manager's opinion**

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**General**

There has been a 'settlement strategy' in many previous County Plans, but only in 2002 was the strategy so altered as to strictly control growth in non-designated growth towns through the imposition of growth controls. Data from the 2002 and 2006 censuses and 2011 estimates set out in the draft plan show that the proportion of the County's population resident in the 21

towns in the County will rise from 71% to 73% between 2002 and 2011. It would have been hoped that the increase would have been more marked, however serious infrastructural deficits have continue to persist in a significant number of the 21 towns, particularly the growth centres of Arklow and Wicklow. Investment in infrastructure is required to effect the settlement strategy, and any slowness in the delivery of this structure can be attributed to this lack of investment rather than a particular weakness in the strategy and its implementation.

It is considered appropriate to maintain some degree of 'control' over the growth of lower order settlements i.e. those settlements not designated growth towns/villages (Levels 5-9) and this is achieved through controls of the sale of houses, to varying degrees. It should be kept in mind that all the way down to Level 7 in the hierarchy (Large Villages) a certain proportion of houses will be available on the open market with no restrictions. It is considered that this objective is appropriate as it ensures that lower order towns are not overwhelmed with demand from housing from urban areas and outside the County and that they can meet local growth needs, which is their function as set out in the Regional Planning Guidelines for the Greater Dublin Area 2004-2016.

This plan does not encourage urban generated one-off rural housing and for those who desire a rural lifestyle, the plan allow for an element of urban generated housing in rural towns and large villages and there is a market in existing rural houses. The plan allow for the development and growth of such rural settlements to be effectively managed, through both controls on the size of the growth but also in the design guidance provided. These objectives have been crafted in mind of the environmental sensitivities of rural settlement and it is considered that adherence to these objectives will allow rural towns and villages to development in an environmentally sustainable manner.

#### **Wicklow / Arklow**

Wicklow and Arklow have been designated as growth towns in the hierarchical order in which they are placed in the Regional Planning Guidelines for the Greater Dublin Area 2004-2016. In 2006, these towns had very similar populations (c. 11,000) and therefore it is not correct to state that Arklow is the 'bigger' town. Furthermore, Wicklow as the historical and administrative County town is well placed to assume a higher place in the hierarchy and in fact has fewer impediments to growth than Arklow, particularly with regard to infrastructure. Both settlements do of course have their own 'environmental' sensitivities, but both are proximate to the coast and vulnerable waters in need of protection, both are proximate to EU designated sites and both are visually sensitive. It is not considered therefore that there is any case for reversing their order in the hierarchy.

#### **Delgany**

Delgany village and its environs, as well as the villages / settlements of Killincarrig, Blacklion and Charlesland, are all considered to form part of the 'greater' Greystones area and are included in the boundary of the Greystones - Delgany LAP. Greystones and Delgany (as do

Killincarrig, Blacklion, Charlesland) clearly operate as a single planning unit, and Delgany depends on the combined Greystones planning area for most retail, educational, recreational and community infrastructure. Delgany village itself has a typical compact and dense historical core with few redevelopment sites available. Therefore its inclusion in the LAP would not necessarily result in significant new development in the village core and therefore in effect, its 'growth target' is not significant. Immediately north of the village and between the village and Blacklion there are tracts of land suitable for development, having regard to the morphology of the overall settlement, the availability of services, proximity to shops, schools, public transport links etc.

It would appear that this concern is more about protecting the character of the village core rather than its place or 'title' in the settlement hierarchy. This village core area is designated an 'Architectural Conservation Area' and therefore when redevelopment sites come up, any new development will be very strictly controlled to ensure that the character of the village is not adversely impacted. Clearly to redefine Delgany as either a 'rural town' or a 'village' in the context of both the Wicklow settlement hierarchy and the LAP would be erroneous, given the nature of those settlement types as described in both the RPGs and the draft CDP. Such a change would also warrant complete revision of the existing LAP, which is not part of the current process.

#### **Enniskerry**

Enniskerry is designated a 'small growth town' having regard to its existing population, the services it provides and its 'best fit' in the hierarchy comparing it to similar settlements in the County and the description of such settlements provided in the Regional Planning Guidelines for the Greater Dublin Area 2004-2016. There is actually no such legal designation of 'heritage village' and the idea of heritage villages was once supported by a Bord Failte scheme of many years ago. Under that scheme, a town / village could be designate a heritage town / village for tourism or marketing purposes, subject to Bord Failte being satisfied it met some criteria, for example, that it had a heritage centre / tourist office. However, this is not a matter for this land use plan and this settlement strategy.

#### **Donard**

Noted.

#### **Manager's recommendation**

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No change

**TOPIC 4: HOUSING - ZONING & STRATEGY**

**Summary of issues raised**

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53	Delgany Community Council	The zoning of any further land for residential development in the County is not sustainable
74	Greystones Traders	A complete review of all zoned lands in the County should be undertaken. The issue of down zoning of land is raised.
96	Paul Leahy	The provision of Social & Affordable housing should be integrated into development and not provided on stand alone sites
108	New Quarter Ltd	The calculation of capacity of existing zoned land in Greystones should be reviewed as there will be a shortage of zoned land in the settlement to meet the settlement target population
159	Construction Industry Federation	The 20% requirement for social and affordable housing should be reduced due to present economic circumstances and the County Manager should determine requirements on an area by area basis

**Manager's opinion**

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**Zoning**

As set out clearly in the draft plan, there is a surfeit of zoned housing / mixed use land in the County as present. It is estimated that there is a need for c. 23,000 new units up to 2022 in the 17 towns in the County with zoned land, but that in the same towns there is zoned land for up to 30,000 units. While this may be considered 'over zoning', a significant amount of this land is not serviced and may not be serviced during the plan period, and certainly not more than 17,000 units will be serviceable up to 2014. It is also an historic fact that not all zoned land becomes available for a variety of reasons, and thus it is necessary to zone more land than is theoretically necessary.

Therefore this plan does not propose the down zoning of residential / mixed use zoned land but does not necessarily advocate additional residential zoning, other than the provision of local plans for the remaining 4 towns currently without plans. It advocates ensuring there is sufficient zoned land to fulfil the settlement strategy objectives, taking into account market factors and the fact that some land will not be released to the market. How much land is zoned in each settlement will depend on the population target for that settlement as set out in this plan.

With regard to Greystones specifically, as of June 2009 (the date of the last survey), there was capacity for c. 3,000 additional housing units, with another c. 650 units permitted / under construction, giving a total capacity of c. 3,650 units. Taking an average household size of 2.56 persons, a total increase in population of 9,340 would be feasible. Having regard to the 2006 population of 14,569, and a growth target of 21,000 in 2016, there is clearly sufficient land zoned in Greystones. During the course of the next review of the Greystones-Delgany LAP, the amount of zoned land available will be reviewed having regard to the 2022 population target.

#### **Social & affordable housing**

The analysis contained in the Housing Strategy clearly shows that even in the scenario where incomes recover, and house prices continue to fall, almost 40% of households in Wicklow will be unable to afford homes on the open market. The current economic downturn has seen significant drops in property prices, but this has been happening in an era of income deflation, and therefore the analysis in the draft Housing Strategy is considered robust. Therefore there is clearly no case for altering the 20% requirement.

With regard to the location of Part V housing, the plan was crafted not to be overly prescriptive in this regard and to allow flexibility relating to different circumstances that may apply in different locations. In this regard, the plan includes a provision requiring those providing Part V housing to engage in meaningful pre-planning discussions regarding issues such as location and design before the lodging of an application.

#### **Manager's recommendation**

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No change

CHAPTER 6 RURAL HOUSING & DEVELOPMENT

TOPIC 1: GENERAL RURAL DEVELOPMENT POLICIES

Summary of issues raised

38	Coillte	The plan should incorporate the concept of clusters of houses on forestry land, which could be located in or adjacent to settlements.
96	Paul Leahy	Rural areas should not be allowed to accommodate surplus urban generated housing demand.
145	The Campaign for Sustainable Rural Housing	<ul style="list-style-type: none"> <li>i. Fundamental adjustments to the historical land use planning policies are now required to adjust to the post oil society and economy</li> <li>ii. Urban areas should be identified to absorb rural housing and the Local Authority should use their powers under the Planning &amp; Development Act 2000 to compulsory purchase land where necessary to cater for local housing needs at serviced locations. Detailed Local Area Plans/masterplans should be provided for all rural villages</li> <li>iii. Greenbelts between settlements should be strictly enforced to prohibit urban generated sprawl and consolidate development</li> <li>iv. The plan should ensure that all rural housing is rurally generated and genuinely, functionally and economically tied to rural areas. The justification 'test' for new rural dwellings must be set at the highest level i.e. restricted to agricultural, forestry and certain other full time workers.</li> </ul>
153	Wicklow Uplands Council	<ul style="list-style-type: none"> <li>i. Rural, as well as urban, areas require positive growth policies</li> <li>ii. Use of 'settlement conditions' raises ethical questions about social engineering as well as limiting the movement of people</li> <li>iii. Objectives relating the scale and design of rural development are unduly restrictive, as are the definitions of County Growth, Local Growth, Proven Need and Permanent Resident</li> </ul>
148	D & S Wall	The term 'proven need' should include " <i>someone who is a</i>



		<i>permanent native resident, who owns a house at present, which is for spatial or architectural reasons, not feasible to extend or enlarge to suit a person's family needs"</i>
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### Manager's opinion

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A wide range of issues are brought up in submissions, some of them conflicting. Generally, the development plan aims control urban generated rural housing, in accordance with the provisions of higher order strategies and Ministerial guidelines. However, it recognises the housing needs of rural persons and subject to fulfilling certain criteria, new rural dwellings will be considered for bona fide applicants. The Planning Authority must also take cognisance of those with a genuine connection to the rural area, but who are not necessarily farmers or dependent on the land for their livelihood, particularly given the significant decline in farming. In accordance with Ministerial guidelines and good planning practice, it is considered appropriate that those being considered for rural housing should demonstrate a genuine bona fide connection or need to live in the rural area. This is not considered 'social engineering' but rather the protection of the County's rural assets in the interest of the common good. Were no control measures utilised and the rural area made available to all for house building, the whole town and village structure of the Country would be undermined, investment in services would become pointless and degradation of the environment would occur. This is not in the overall interest of the rural area or rural residents.

With regard to some of the specific issues raised:

- i. Urban areas are suitable to absorb rural generated housing needs and there are generally no impediments to rural natives building or purchasing houses in local towns / villages. However, it must be remembered that those genuinely eligible for a single rural house would be unlikely to be attracted into a town / village site as they desire to remain near family / friends in the rural area or indeed may already have family land on which they want to build.
- ii. All lands between designated settlements are effectively 'greenbelts' where strict development controls apply.
- iii. The draft plan includes design standards for new rural houses, which specifically encourage clustering (Section 6.4.3 'Site selection' and 'Housing position and siting'). In an ideal situation, new rural houses would be clustered in a traditional hamlet type formation, with a single entrance, well set back from the road, and in a format that is sympathetic to the rural environment. However the reality is that those eligible for rural

housing do not normally desire to live in clusters, except possibly with family members and even this occurs only rarely where land availability is limited. Specifically with regard to forestry land, where a number of eligible applicants wish to build a cluster on forestry land, there would be no impediment in principle, subject to normal design criteria. If however the idea is for a forestry owner to built a small rural cluster and sell the houses, this would be contrary to the overall rural housing policy to restrict rural housing to those with a bona fide necessity to live at that location.

- iv. It is not considered appropriate to include a provision allowing permission for a new rural house to a family whose existing house has outgrown their needs, as this would be open to excessive interpretation as to how much space a family needs and the suitability of the existing house for renovation / extension. It should be considered that the average new family home in a town / settlement is in the order of 100sqm and yet the majority of applications for new rural dwellings are well in excess of 200sqm, in an era of falling average household size. Furthermore, such a provision would potentially give rise to significant pressure for further unwarranted rural housing whenever a family considered that more space would be desirable, as it most likely that the existing family home would be required to be sold on the open market to fund the new construction. In such circumstances, the plan includes provision for rural house extensions and for replacement rural houses and there would be a limited number of houses or sites that would not be suitable for extension / replacement.

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**Manager's recommendation**

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No change

**TOPIC 2: RURAL TOWNS (LEVEL 6)**

The following towns are designated 'rural towns' in the draft County Development Plan:

Avoca

Donard

Dunlavin \*

Kilmacanogue

Newcastle \*

Roundwood \*

Shillelagh \*

The settlements marked with \* have their own local area or town plans and any submissions for these towns are dealt with separately in Part X of this report. Submissions relating to the remaining towns are dealt with here.

**Summary of issues raised**

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18	Ardea Ltd (Walter Brown)	This submission relates to lands located to the north of Kilmacanogue village within the townland of Hollybrook, measuring c. 12ha. It is requested that <ol style="list-style-type: none"><li>The existing settlement boundary for Kilmacanogue be extended to include the subject lands</li><li>When a Local Area Plan is prepared for Kilmacanogue that the subject lands should be zoned for Business, Office, Science and Technology Park set in an open parkland setting with extensive landscaping and a high architectural standard of layout and building design on the lands adjacent the N11.</li></ol>
70	Flynn Family	To designation of Donard as a 'rural town' is welcomed and it is considered that the local growth objective proposed will adequately facilitate the future development of the town in a sustainable manner.
121	Sean Porter	It is requested that lands measuring 0.4 hectares at Kilqueeny, Avoca be included in the settlement boundary.

## **Manager's opinion**

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### ***Kilmacanogue***

With regard to the village boundary of Kilmacanogue, the boundary as set out in the draft plan is considered to provide adequate lands for the development of Kilmacanogue, given its location and role in the settlement hierarchy and its designated economic function (as an attractor for local investment). Any extension of the village boundary to the north would lead to an unacceptable blurring of the distinction between Kilmacanogue and Bray and is not recommended.

Kilmacanogue currently has only a 'development boundary' with no specific zonings. It is intended to address this with the preparation of a local plan during the course of the County Development Plan (Objective RH10). It is recommended that decisions on specific uses should only occur through a local plan making process whereby local issues can be analysed and addressed in detail and the local community consulted. This local plan making process can consider the need for employment land in the village, particularly having regard to the availability of existing designated development land in this and in other proximate settlements. If through this process it is determined that additional lands are required and the boundary requires extension, this can be addressed in the future by way of variation of the County Development Plan.

### ***Donard***

Noted

### ***Avoca***

The lands in question are located on the west side of the railway and river bridges, on the regional road and are the site of a former caravan park. The settlement of Avoca is historically located on the east side of the river, with the village centre located at the bridge with a newer 'suburb' comprising a number of housing development to the south of the village core, near the primary school. Within this envelope, there is sufficient land available to accommodate significant development, although the town is only targeted to grow from 662 persons in 2006 to 800 persons in 2016. Due to the construction of local authority housing on the west side of the bridge in the last 30 years, there has been some spread of the settlement across the river. However, this development is still east of the regional road. The regional road presents a significant development barrier, being a main route from Rathdrum to Arklow with relatively high speeds and no pedestrian facilities. Furthermore, where the regional road meets the bridge, there are very limited sightlines and the road layout present serious hazards.

The lands requested to be zoned are located on the west side of the regional road, just south of this hazardous arrangement. It is considered inappropriate to designate these lands for development given the traffic hazard situation arising, particularly for pedestrians. Village

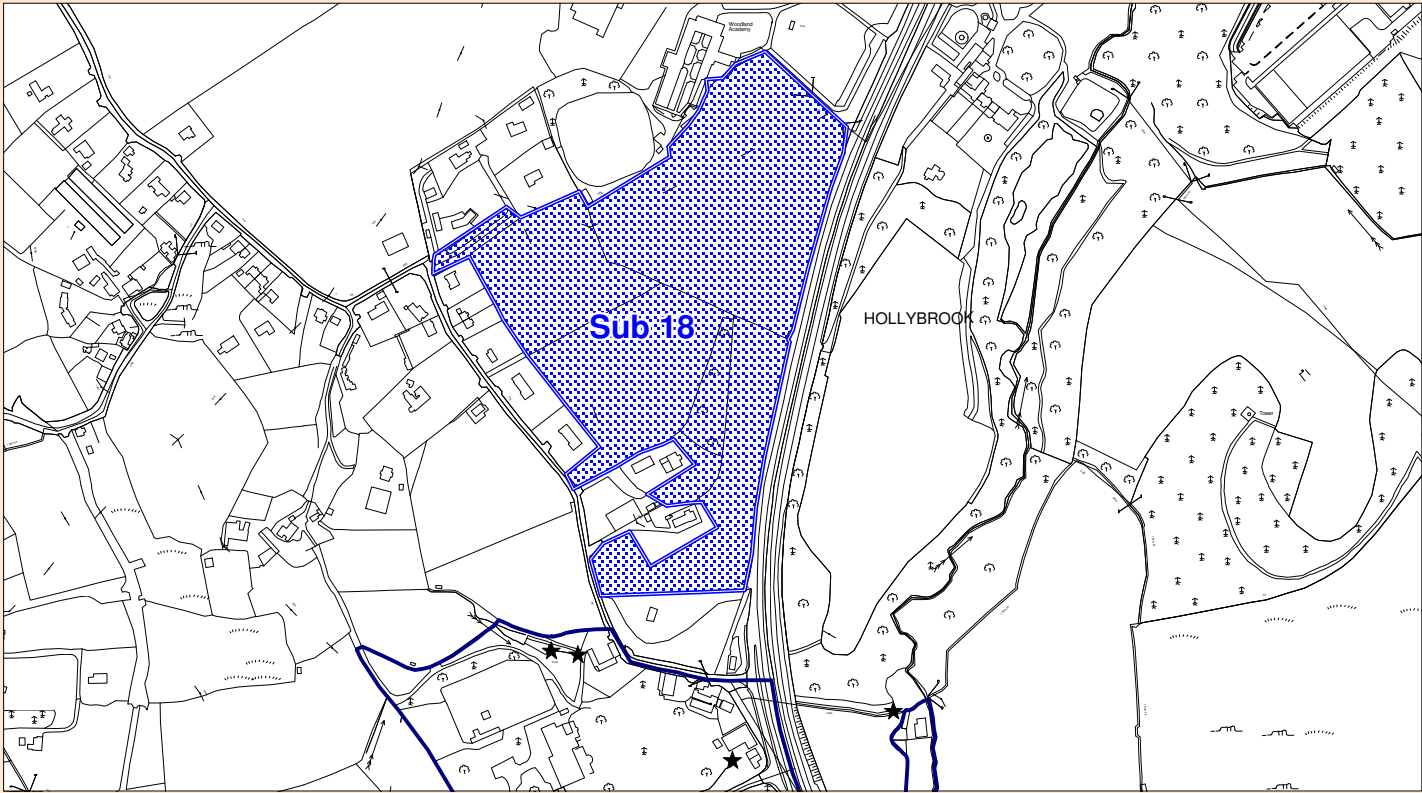
services are located on the east side of the village and housing at the subject location would result in both car turning movements and pedestrian movement to access village services. Furthermore, there is no identified need for further 'zoning' and the location of the lands does not coincide with the preferred urban form of the village. Therefore this village extension is not recommended.

**Manager's recommendation**

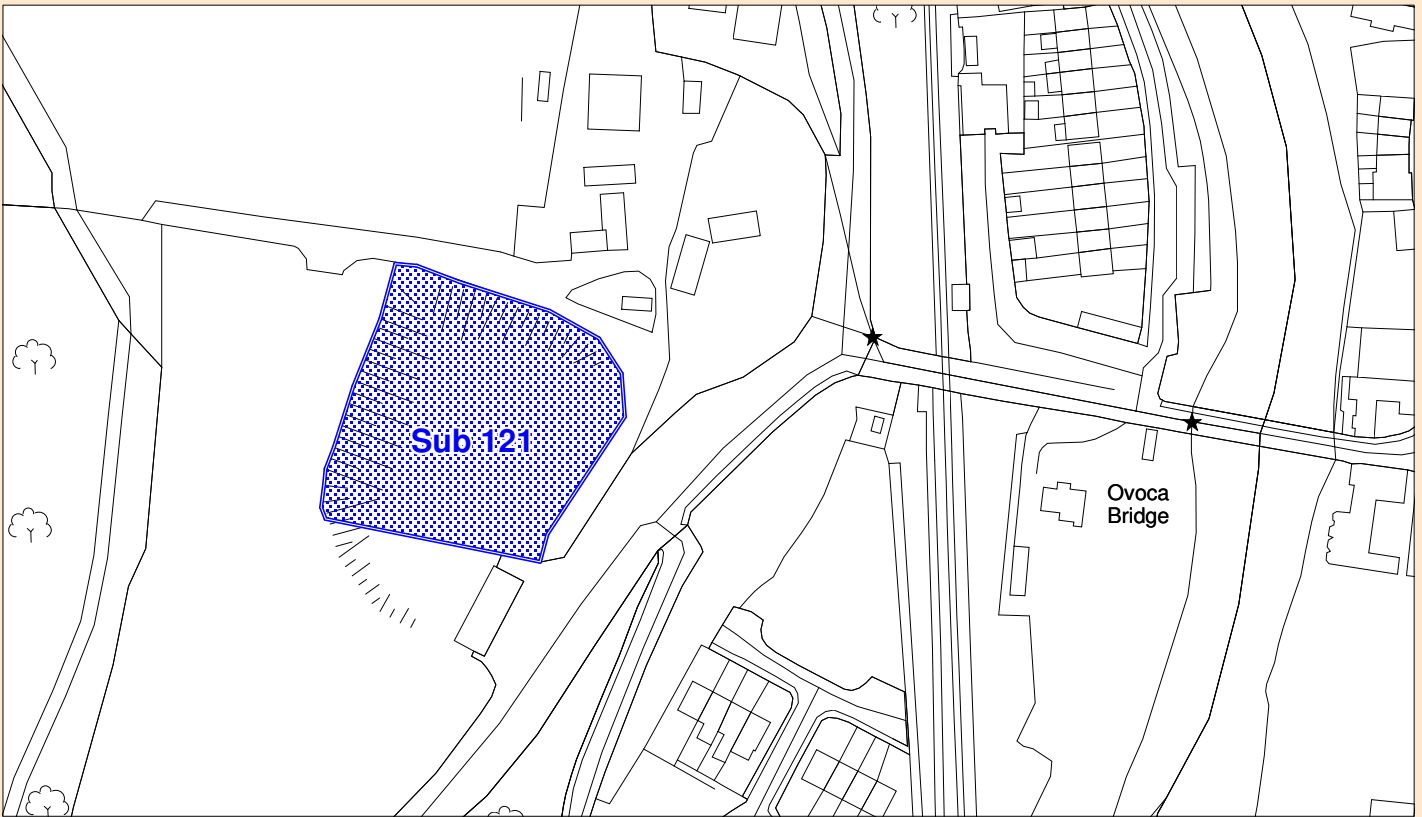
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No change.

# Rural Towns



Sub 18 - Kilmacanogue



Sub 121 - Avoca



**TOPIC 3: LARGE VILLAGES (LEVEL 7)**

**Summary of issues raised**

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26	Patrick Brady	Additional lands comprising 7 hectares should be included in the development boundary for Kilpedder. These lands are located to the west of the existing settlement boundary. It is requested that the lands be designated for commercial use.
55	Devereaux family	Additional lands comprising 6.5 hectares should be included in the development boundary for Kilpedder. These lands are located between the existing village boundary and the new N11 interchange. It is requested that the lands be designated for employment and nursing home / retirement housing uses.
57	Denis Doyle	This submission relates to land located to the rear of the existing "Grove Bar" at Willowgrove, Kilpedder measuring 0.4ha. It is requested that the subject lands be given a dual tourism and light industrial zoning in the County Development Plan.
59	Fintan Driver	Additional lands comprising 4.48 hectares located in the townland of the Ballyfree East, Glenealy, be included within Glenealy development boundary, principally for homes for the Driver family.
72	Gaffney & McDonald	Additional lands comprising 9.5 hectares should be included in the development boundary for Barndarrig. These lands are located to the east and north-east of the existing village and take in all the lands between the existing village and the N11, including the service station and the Lil Doyle's.
92	John Kinsella	Additional lands comprising 19 hectares located in the townland of the Ballymanus - Ballyknockan, north-west Glenealy, be included within Glenealy development boundary for residential (c. 9 hectares) and employment purposes (c. 10 hectares)
101	McCormick, Mordaunt & Sally	Additional lands comprising 8.5 hectares should be included in the development boundary for Barndarrig. These lands are located to the north and north-west of the existing village, along the road to Redcross and uphill of existing housing developments.
99	Lyons & Cripps	Additional lands comprising 3.5ha be included in the

		settlement boundary for Ballinaclash. These lands are located to the north east of the current settlement boundary (lands along the west side of the Rathdrum road).
112	H O'Kelly	Additional lands comprising 1 hectare at Paddock Hill, Laragh West be included within Laragh development boundary.
148	D & S Wall	Additional lands comprising 6.5ha be included in the settlement boundary for Ballinaclash. These lands are located to the north west of the existing village boundary, on both sides of the local road to Greenane.

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### Manager's opinion

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There are 13 settlements designated as 'large villages' in the draft County Development Plan. Having regard to the population allocations provided by the Spatial Policy unit of the DoEHLG and the County allocation given by the draft Regional Planning Guidelines for the Greater Dublin Area, these villages are targeted to grow by 1,000 persons 2006-2016 in total, which is considered substantial given the current total population of c. 3,000. This population growth target has been allocated across these 13 settlements, according to their locations, capacities for growth and characteristics.

These settlements are typically targeted to grow by 50-100 persons each up to 2016, with Manor Kilbride allowed a smaller growth figure having regard to the lack of wastewater treatment facilities in the village and its location in the Liffey River catchment, feeding into the Poulaphuca Reservoir. The more substantial settlements of Barndarrig, Ballinaclash, Laragh – Glendalough and Stratford-on-Slaney are designated the highest levels of growth.

All of the villages were examined as part of the plan review process and the amount of available land evaluated to ensure that a sufficient land bank was available in each to accommodate the growth target. All of these villages have more than sufficient land identified within the village boundaries for the growth target set out in this plan.

### Kilpedder (26, 55, 57)

While two of these three submissions request boundary extensions, all three request specific 'zoning' in the village for employment, tourism or retirement housing use. These villages do not have development plans, only development boundaries and no specific zones or uses are delineated. Unless such a detailed plan is prepared, it is illogical to have a small number of haphazard specific zonings in a village.

Requests for employment 'zoning' are dealt with in more detail later in this report (Part X). There is also ample land already in the village boundary to accommodate a nursing home or retirement houses, and the plan facilitates such development. The development of the tourism



use of The Grove Bar is not precluded in any way in the current plan and is in fact encouraged.

**Glenealy (59, 92)**

These two submission combined request an increase in the village area by 24 hectares, of which 19 hectares are requested for residential use. This scale of expansion is not warranted given the growth target for the village (30 houses up 2016) and its role in the employment hierarchy. Furthermore, at this time there is no wastewater treatment capacity available for such a large-scale additional development and this is not likely to be rectified during the lifetime of this plan.

With regard to the Kinsella proposals, these lands are located to the rear (west of the GAA) and an extension of this village in this direction is considered undesirable given the historical development of the village along the regional road, the location of the primary school, and the village shops.

The Driver lands are located on the south side of the railway line, beyond the new housing development 'Belard Manor'. Given the spatial format of Glenealy, an extension of the village in this direction is illogical and is severed from the village proper by the railway line. This land is therefore not considered appropriate for village extension purposes were a need identified.

**Barndarrig (72, 101)**

These submissions are requesting significant additional lands be identified for development along with a significant increase in the growth target from 40 units to up to 200 units (given the areas and densities suggested). Barndarrig is designated a 'large village' having regard to its size, location and range of services available. It is not identified as a growth settlement in any national or regional strategies, and the submission made would entail its redesignation as a significant growths settlement having regard to its current size (80 units).

Notwithstanding the conflict with national and regional policy, this location is not suitable for the type of expansion proposed having regard to (a) the fact that notwithstanding any new WWTP that may be constructed, the receiving streams in this area are not capable of absorbing any additional effluent, (b) the proximity of the village to Wicklow Town, which is a growth pole, where significant amount of zoned and serviced land is available, (c) the elevated nature of the lands would not allow significant new development to be effectively absorbed into the landscape and (d) the potential impact on the new N11 and the new junctions in proximity to Barndarrig, which have not been designed to accommodate the development of a what would effectively be a new town at this location.

Therefore these proposals are not recommended.

**Ballinaclesh (99, 148)**

There is no identified need for the designation of further development land in Ballinaclesh. Extension of the village up the Rathdrum Road would only serve to sprawl the village out into

its scenic rural surroundings and would not bear any relationship to the historical format of the village. Furthermore these lands are on the regional road and development at this location may undermine the carrying capacity of the road and result in additional traffic turning movements to the detriment of overall road safety. The lands on the Greenane Road are extremely scenic and undeveloped and the road serving them is a narrow country road. Therefore these lands are not recommended for inclusion in the village boundary.

**Laragh (112)**

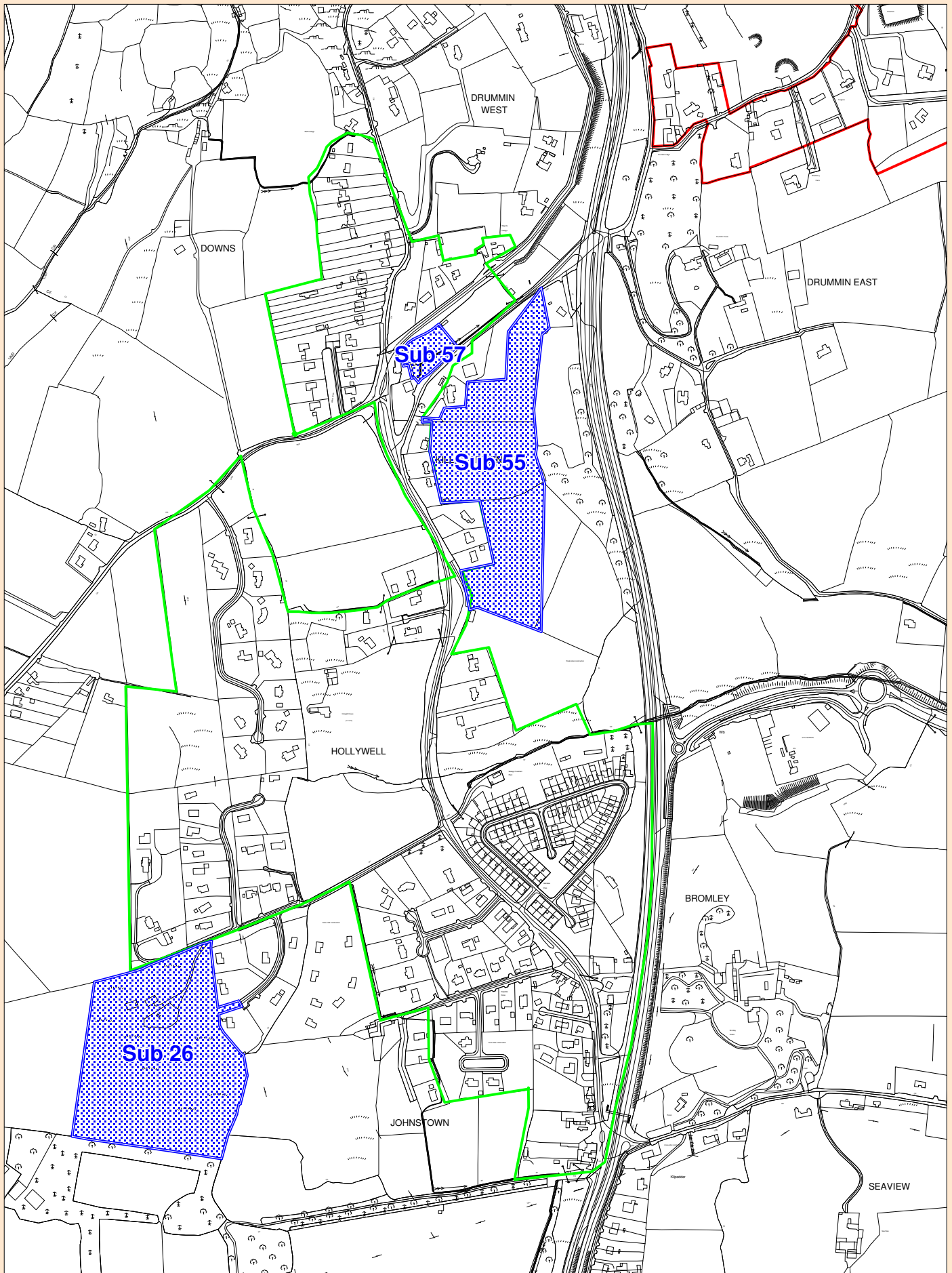
These lands are located at the village end of the Military Road, just beyond the old tea rooms. There is no justification for village boundary extension given the growth target for the village and these lands are located in one of the most scenic parts of the areas. Furthermore the lands are located in very close proximity to a SAC and therefore designation for development cannot be considered without impacts on the SAC being ruled out beforehand through a full Habitats Appropriate Assessment. Therefore this extension is not recommended.

**Manager's recommendation**

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No change

# Kilpedder/Willowgrove village Boundary extension

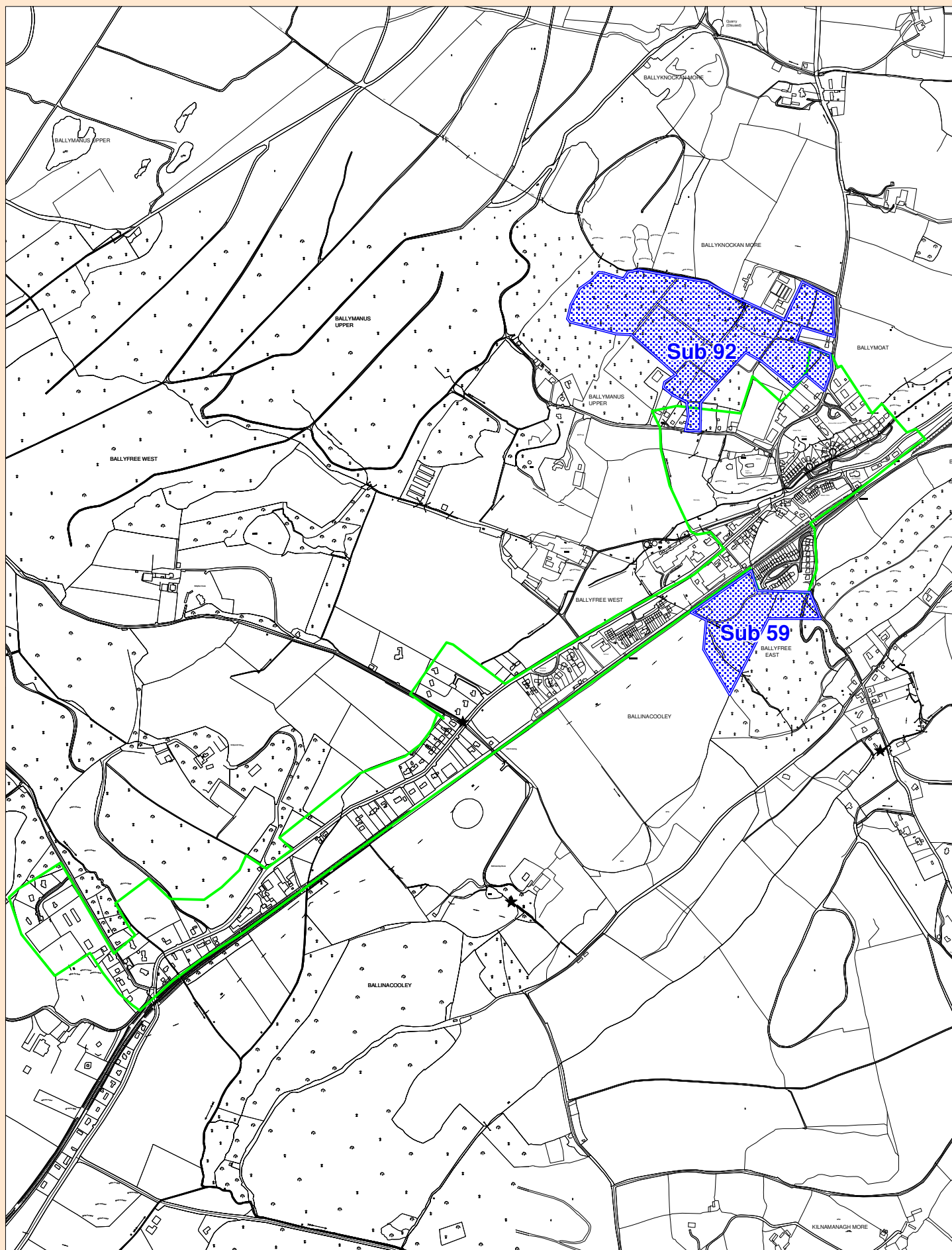


## LEGEND



Submission area outline

## Glenealy village Boundary extension

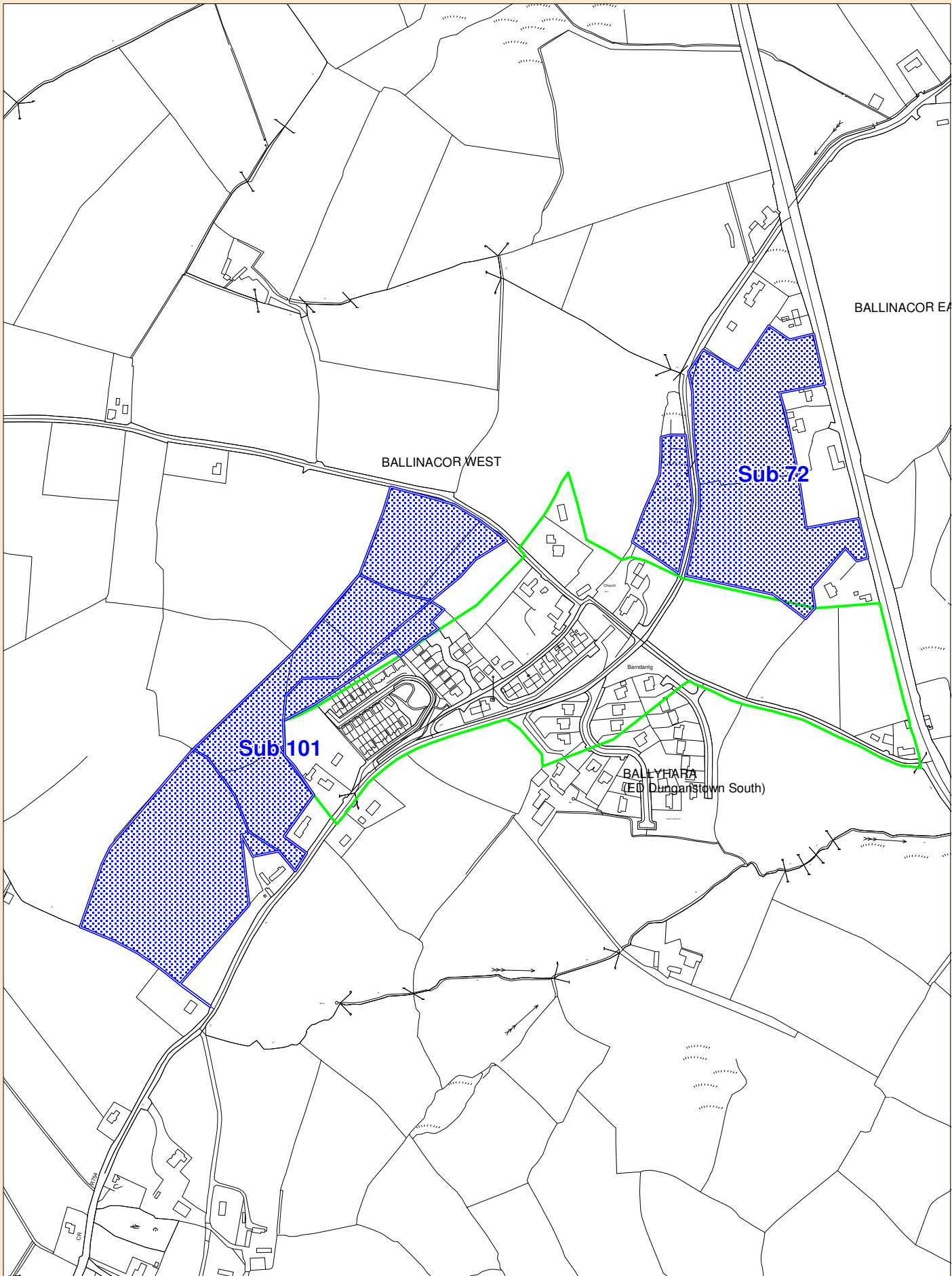


### LEGEND



Submission area outline

# Barndarrig village Boundary extension



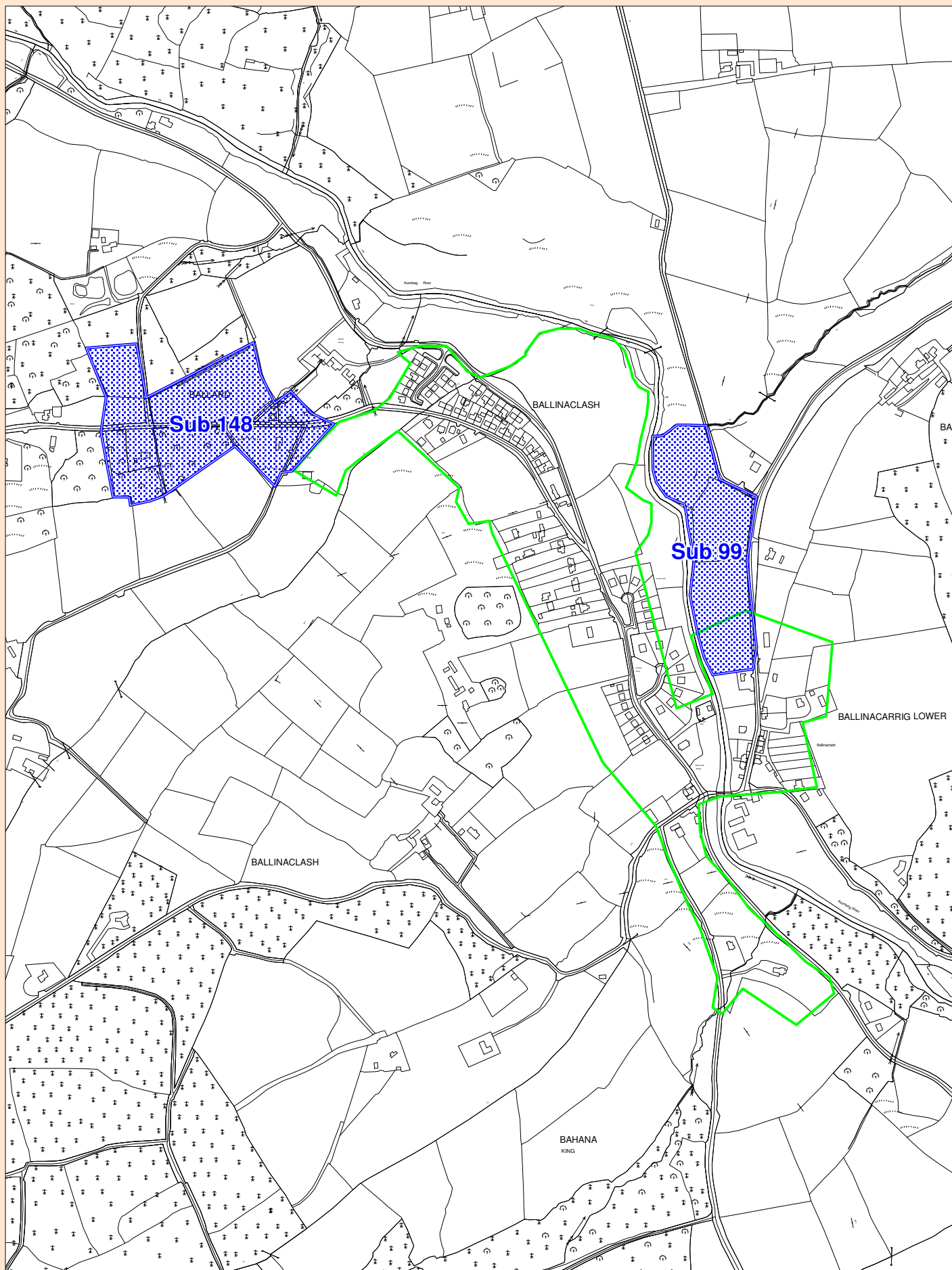
## LEGEND



Submission area outline



# Ballinaclash village Boundary extension

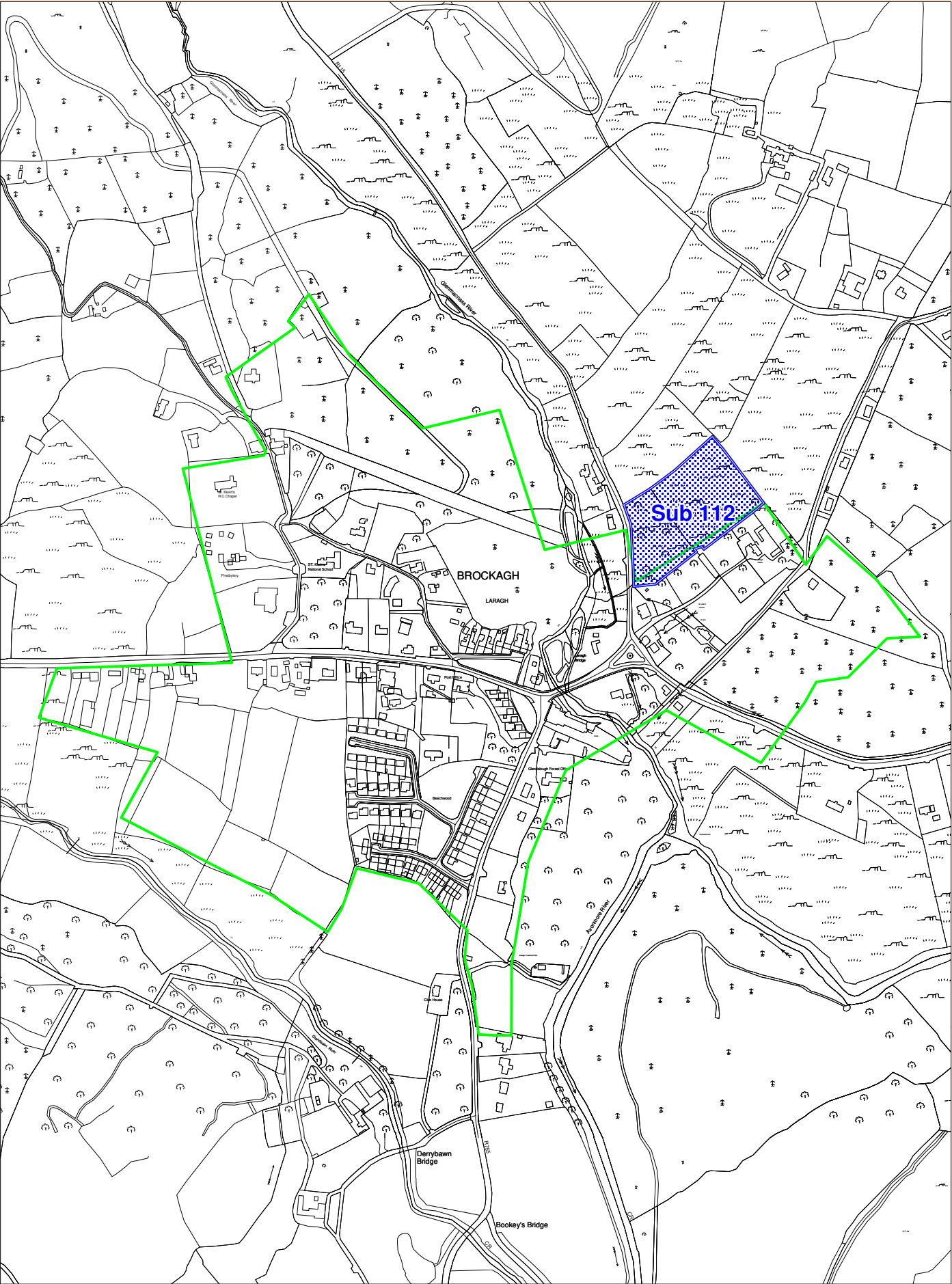


## LEGEND



Submission area outline

Laragh village Boundary extension



LEGEND



Submission area outline

**TOPIC 4: SMALL VILLAGES (LEVEL 8)**

**Summary of issues raised**

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19	Ballintemple NS	<ul style="list-style-type: none"><li>i. Population growth target for Ballycoog should be increased</li><li>ii. Local growth restriction should be loosened</li></ul>
22	Beacon Investments	<ul style="list-style-type: none"><li>i. This submission requests that lands measuring 2.8ha, currently located in the rural area, be included within the development boundary of the Level 8 Small Village Settlement of Ballynacarrig-Brittas Bay to enable residential and tourist development. The lands are located on the east side of the R750 coast road, to the north of Brittas Bay and directly southwest of McDaniel's Pub.</li><li>ii. It is put forward that the 'local growth' control for small villages is excessively onerous and is contrary to national policy of consolidating towns and villages over dispersed rural housing and this is particularly the case in Brittas Bay which has not experienced the same demand for housing as the rural area surrounding it. It is suggested that Brittas Bay be treated slightly differently given its character as a tourist destination which would make it attractive to home purchasers.</li></ul>
84	Bernard Keating	This submission requests the extension of the boundary of the small village of Askanagap to include c. 50 hectares of land to the north / north-east of the village to be used for a low density eco village or for retirement homes and a nursing home.

**Manager's opinion**

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With regard to the local need criteria for Level 8 settlements, the draft plan already allows for the loosening of the current policies and in fact allow for an element of urban generated housing in such villages, contrary to national guidelines. With regard to Ballynacarrig-Brittas Bay, any further loosening could have significant impacts as there would likely to be very high demand for housing from outside the area and from urban areas, which would have the knock on effect of pushing local housing needs out into the rural area, with the associated environmental impacts on the area. Therefore no changes are recommended.



### **Ballycoog**

The purpose of this request is to ensure adequate population to generate demand for primary school places to sustain the school. The submission sets out that the desired enrolment for the school is 60 pupils. This would require a catchment of approximately 200 houses. Given the distance to other primary schools in the area, this school would have a catchment radius of c. 2km and there are currently 75 houses in this area (13 in the village and 62 in its rural environs). While it is likely that some new rural houses will be developed in this area over the lifetime of the plan, to reach this 200 house figure would require over 100 new houses to be added to the village. Clearly this is excessive having regard to its existing size and limited services. Therefore no changes are recommended.

### **Ballynacarrig-Brittas Bay**

The lands in questions are located adjacent to the existing village boundary, which is confined to the west side of the road. It is considered that development on the east side at the core location would indeed allow for the development of a proper village core, as suggested. However, this extension cannot be recommended as the lands are in proximity to the Buckrone-Brittas Dunes and Fen SAC and without prior study, it is not possible to determine if the development of such lands could have an impact on the SAC. Of particular concern is the lack of water or wastewater services in the village which would necessitate the development of a bored well water supply and a package treatment plant, which could both have significant impacts on the SAC. Therefore no changes are recommended.

### **Askanagap**

Given the area of land and density suggested, this proposal would make provision for approximately 40 new dwellings in an existing rural area. The lands are adjacent to the village boundary of Askanagap but do not in any form a logical extension to it. Given the services available in Askanagap and its location in the County, it is only designated to grow by 5 houses over the lifetime of this plan. Therefore development at the scale proposed is unacceptable, notwithstanding the merits of eco type construction.

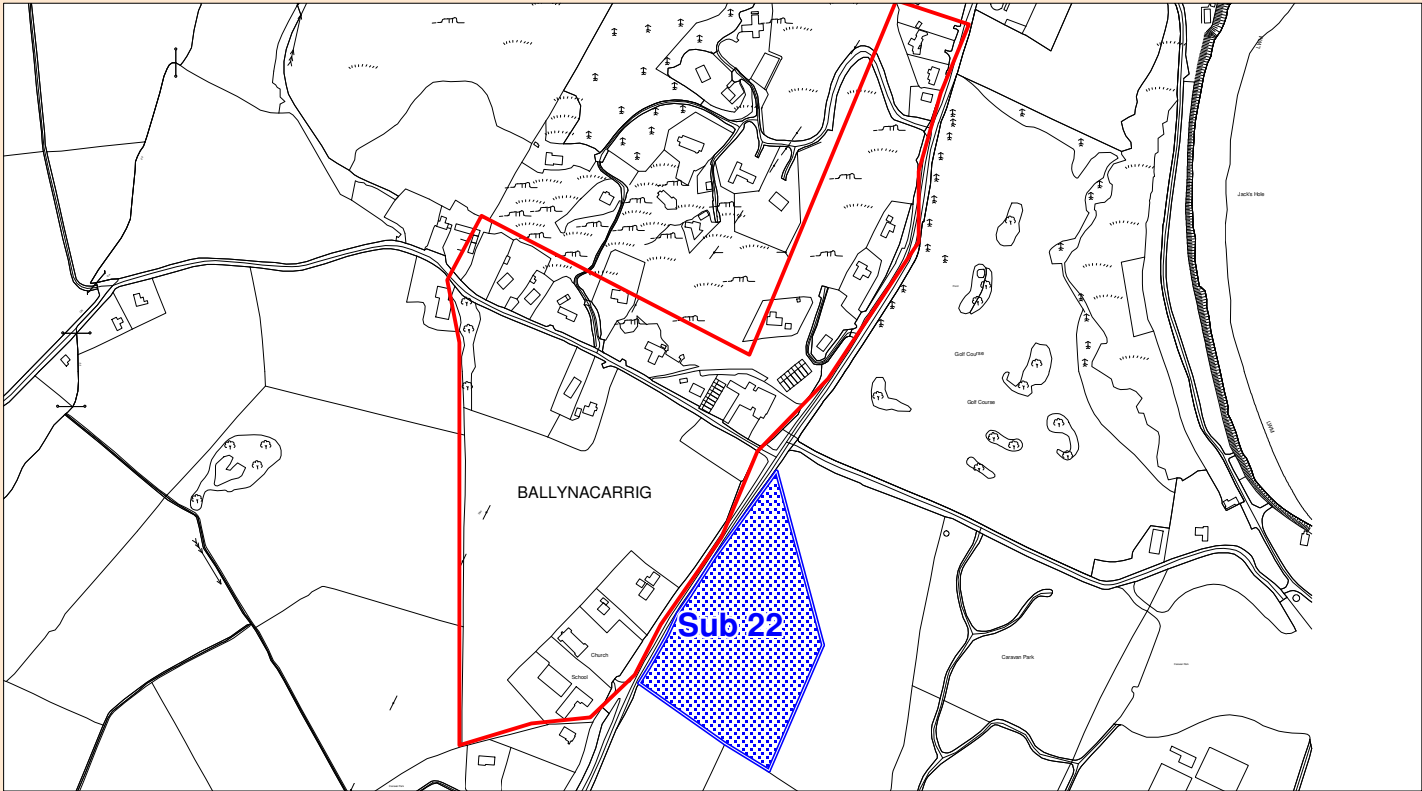
With regard to the provision of retirement homes / nursing home, such an isolated location, distant from any centre of population and services, on a poor local road network, is not considerable as desirable location for such development.

### **Manager's recommendation**

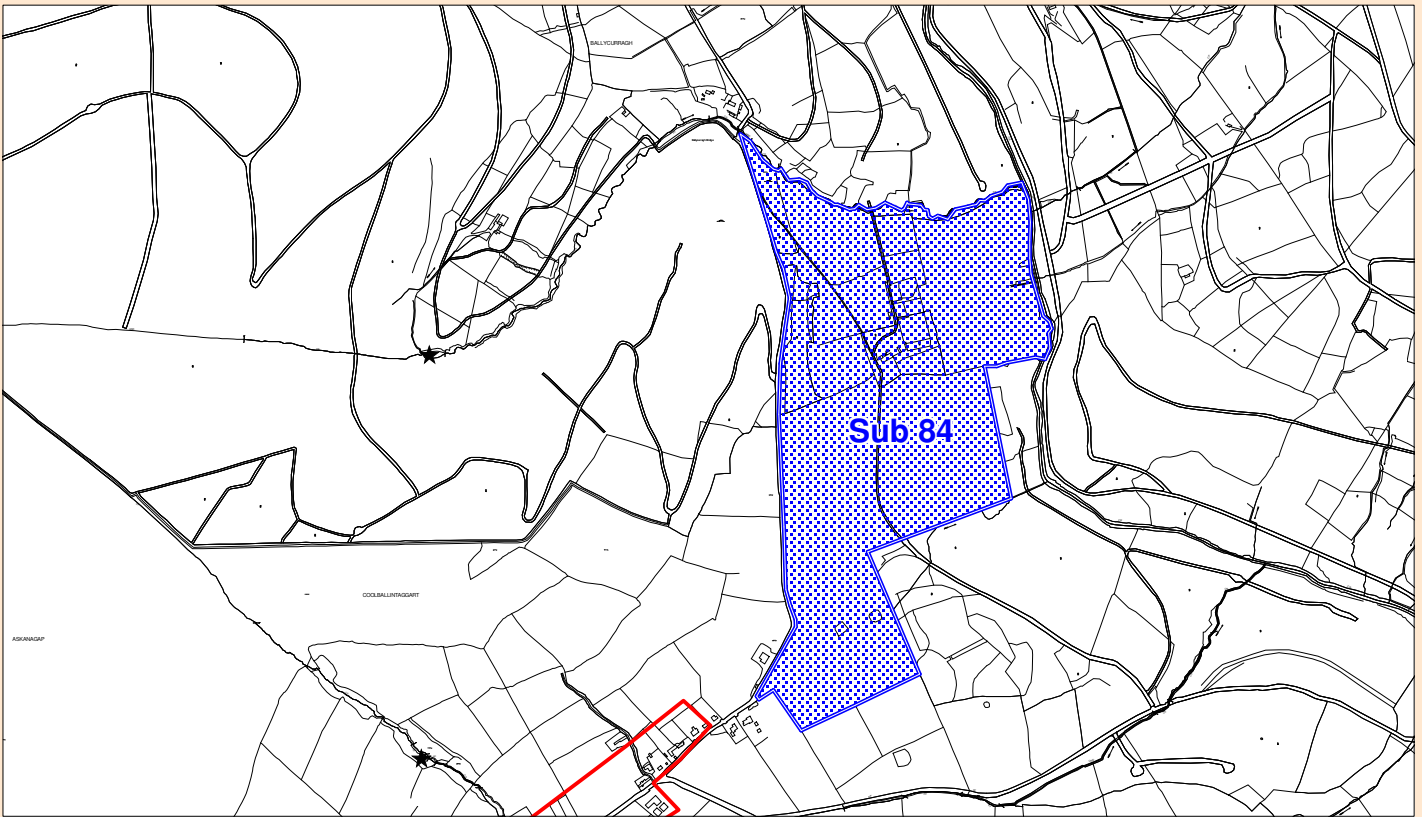
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No change

# Small Villages



Sub 22 - Ballinacarrig - Brittas Bay



Sub 84 - Askanagap



**TOPIC 5: RURAL CLUSTERS (LEVEL 9)**

**Summary of issues raised**

23	Conor Boland	This submission requests the designation of 1.09ha of land at <b>Ballyknockan Beg, Ashford</b> as a rural cluster. The lands in question are located to the east of the Ashford – Glenealy road (L-1096-23) approximately 2.5km south west of Ashford.
30	John Byrne	This submission requests the designation of 5.4ha of land at <b>Sleanaglogh, Moneystown</b> as a rural cluster. The lands in question are located in the rural area on the L1091-63 approx. 1km south of the existing small village of Moneystown.
39	Robert Collier	This submission requests the designation of 1.6ha of land at <b>Ballylusk, Ashford</b> as a rural cluster. The lands in question are located to the south east of the Ashford – Glenealy road (L-5095-0) approximately 2km south west of Ashford.
58	Richard Draper	This submission requests the extension of the existing boundary of <b>Kilmurray (Kilmacanogue)</b> by 3.5 hectares.
76	Rory Healy	This submission requests the designation of 3.09ha of land at Ballyknockan Beg as a rural cluster. The lands in question are located to the east of the Ashford – Glenealy road (L-1096-23) approximately 2.5km south west of Ashford.
78	Nigel Hill	This submission requests the designation of 3.3ha of land at <b>Ballyhenry, Ashford</b> as a rural cluster. The lands in question are located approximately 2km north of Ashford on a local road (L-5068-0) off the Ashford-Roundwood Road (R754).
82	Pat Kearns	This submission requests the designation of 2.2ha of land at <b>Milltown South, Rathnew</b> as a rural cluster. The lands are located on the regional road R752 (Rathnew – Glenealy) west of the N11 overbridge.
93	Johnny Lacey	This submission requests the designation of 1.6ha of land at <b>Coolahullin, Aughrim</b> as a rural cluster. The lands are located on the south side of regional road R747 between Woodenbridge and Aughrim, just west of Coates Bridge.
104	Thomas McNabb	This submission requests the designation of 8 ha of land at <b>Garrymore, Greenane</b> as a rural cluster. The lands are located on the south side of the local road between

		Rathdrum and Greenane c. 1km east of Greenane.
153	Wicklow Uplands Council	Objective RH13 with regard to Rural Clusters is excessively restrictive rather than positive and will result in real constraints on rural growth potential and rural community development. The prohibition on multi-house development should be lifted and well designed cluster development should be promoted.

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#### Manager's opinion

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There are 34 designated 'rural clusters' in the draft County Development Plan. Many of these clusters have no attributes such as a shop, church, public houses etc but are simply clusters of houses that have grown up over time. Housing in such clusters are essentially the same as 'single rural houses' other than the proximity to other houses but in all other regards, one is living in a rural location, on a rural plot, with no services. These clusters were identified in 2002 as a means of attracting people away from the open countryside, to clustered locations where the environmental impacts of new housing would be lessened. It is important therefore that development in such clusters is effectively managed so that they don't become locations for urban generated housing. With regard to clustered housing, the plan allows for new rural houses to be built in clusters, but each applicant must make an individual application to allow the merits of their case to be assessed.

Having regard to the population allocations provided by the Spatial Policy unit of the DoEHLG and the County allocation given by the draft Regional Planning Guidelines for the Greater Dublin Area, these clusters are targeted to grow by 200 persons (c. 80 houses) 2006-2016 in total, which is considered substantial given the current total population of c. 980. While no specific allocation is given to any clusters, it is likely that no single cluster will absorb more than 5 houses during the plan period. Obviously some will be more attractive than others and have more capacity for growth given the environmental constraints present.

A total of 8 of these submissions are requesting new clusters. It is not considered necessary or desirable at this time to designate any new clusters, as there are already an adequate number and they are spread throughout the County, with particular predominance in the south and west of the County, where the urban settlement pattern is weakest. In the north and east of the County, there are fewer clusters as there are more substantial towns and villages available to accommodate housing demands. In particular, a number of requests are for new clusters in the Ashford – Glenealy – Rathnew area. This area has a number of strong villages with good services and available serviced land and therefore the request for new clusters

would appear to be based on speculative, rather than spatial planning or local housing demand grounds.

The extension of Kilmurray (Kilmacanogue) by 3.5 hectares is not considered warranted given the growth allowed by the plan and the quantum of available land already in this cluster. This cluster was only recently expanded by 9.5 hectares in 2007 and no further expansion is warranted. Furthermore, the lands in question are extremely elevated and exposed to views. On the slope of the Great Sugarloaf and any development here would further impact on the scenic amenity of the area.

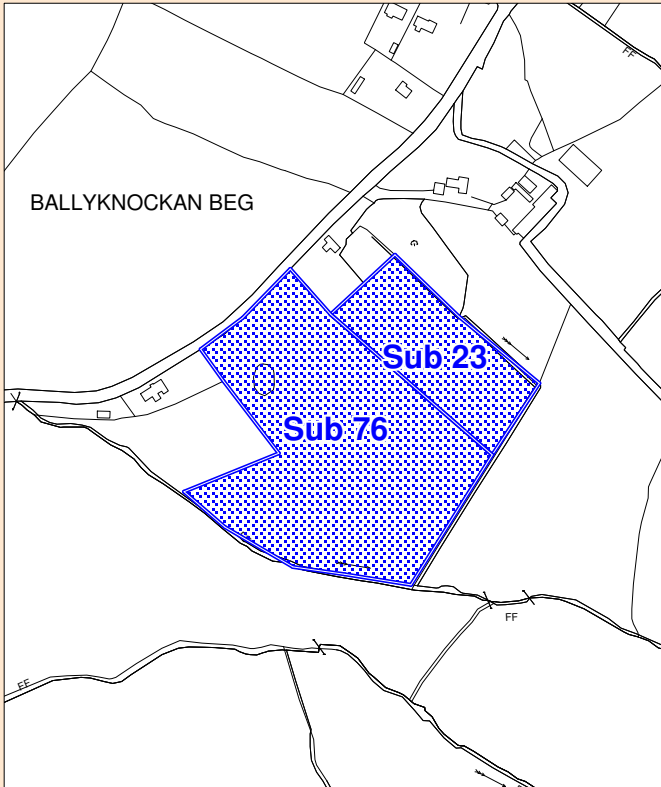
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**Manager's recommendation**

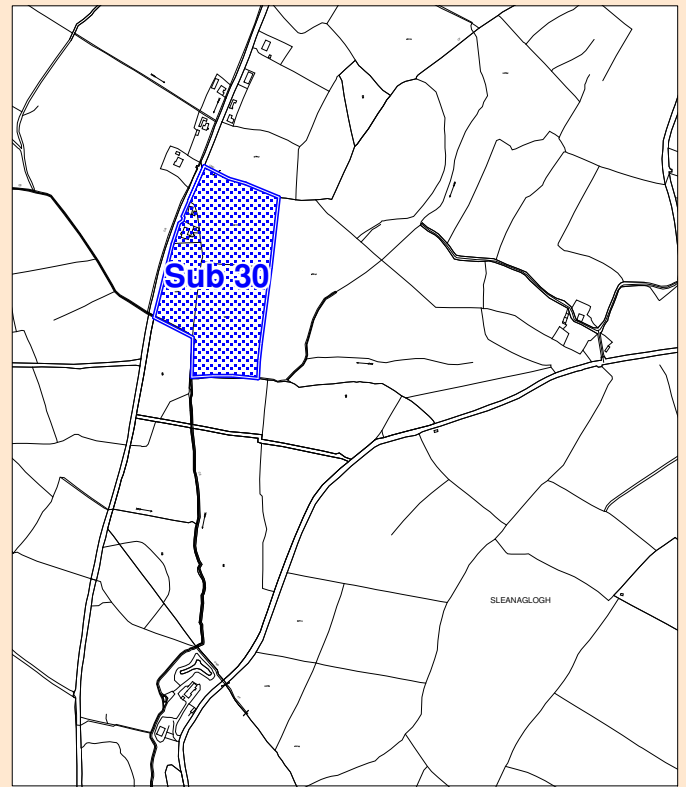
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No change

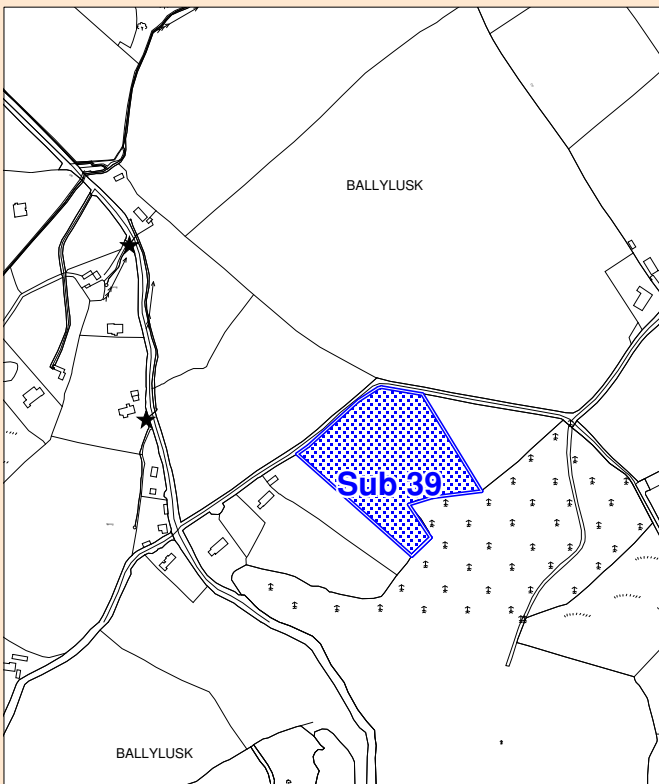
## Rural Clusters



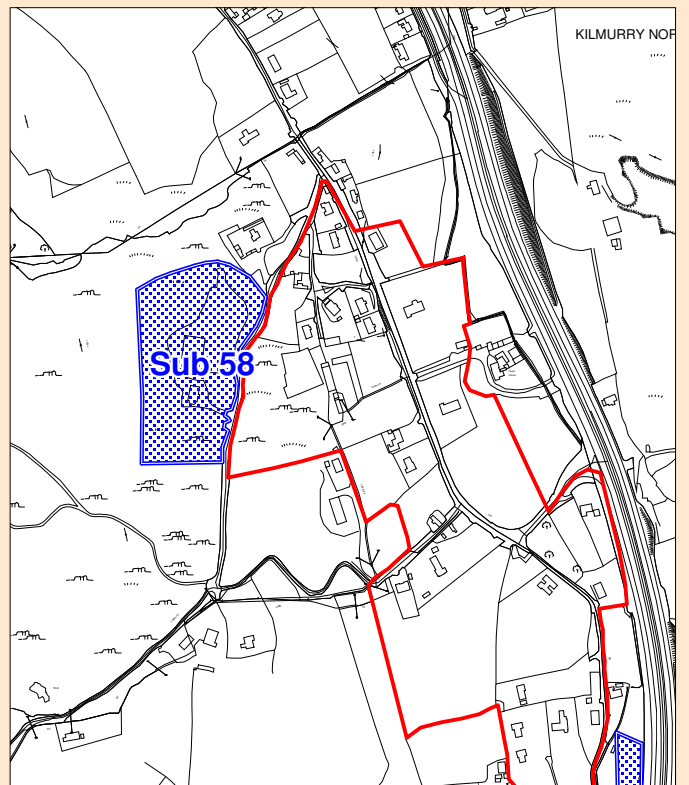
Sub 23 & 76 - Ballyknockan Beg Ashford



Sub 30 - Sleanaglough Moneystown



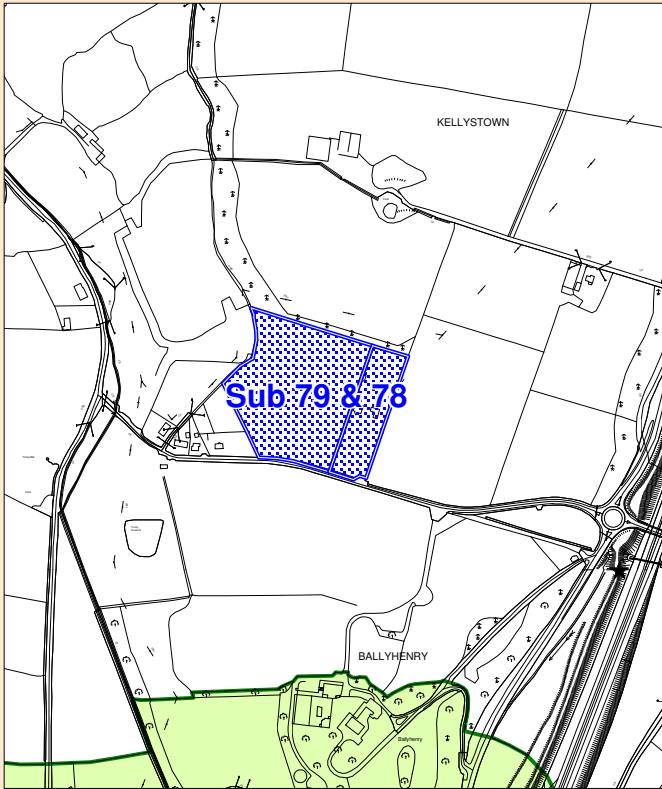
Sub 39 - Ballylusk 39



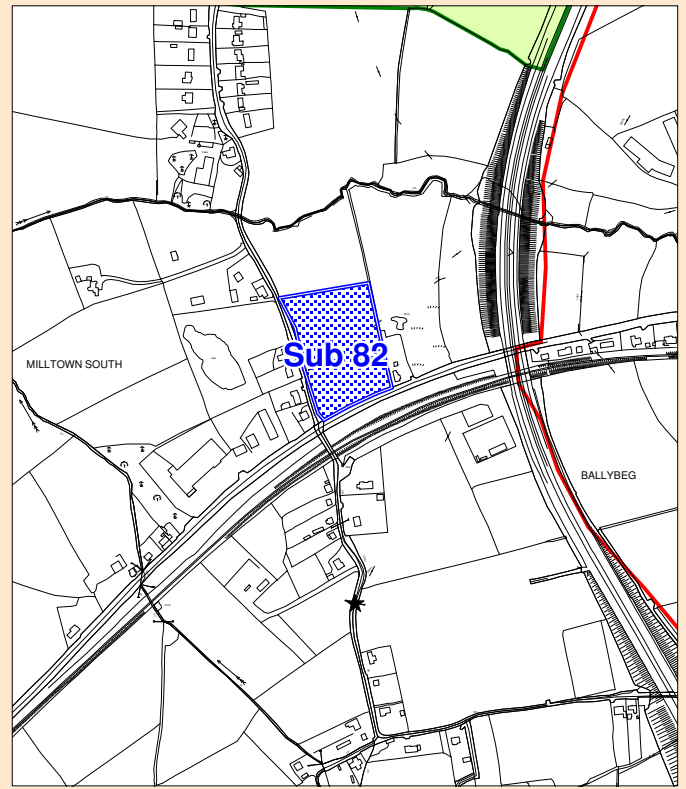
Sub 58 - Kilmurray



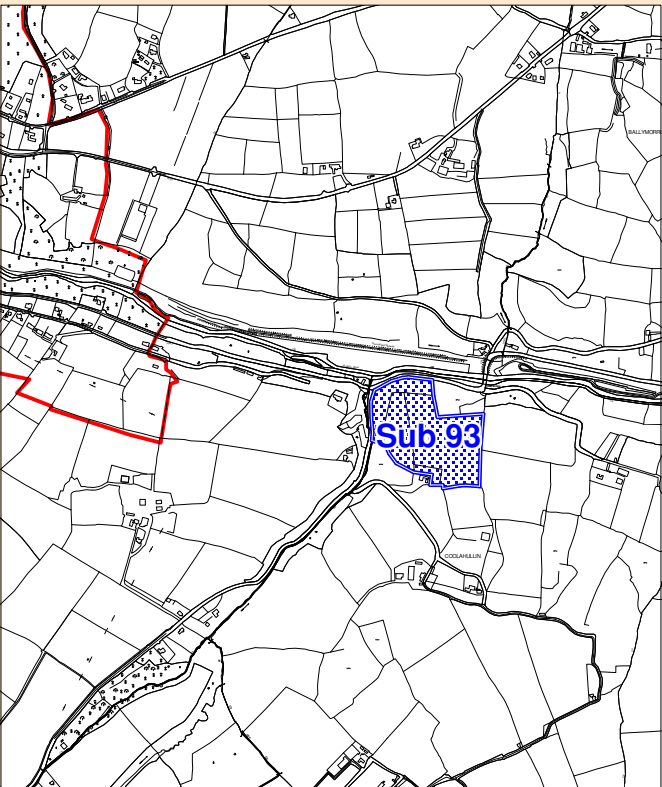
## Rural Clusters



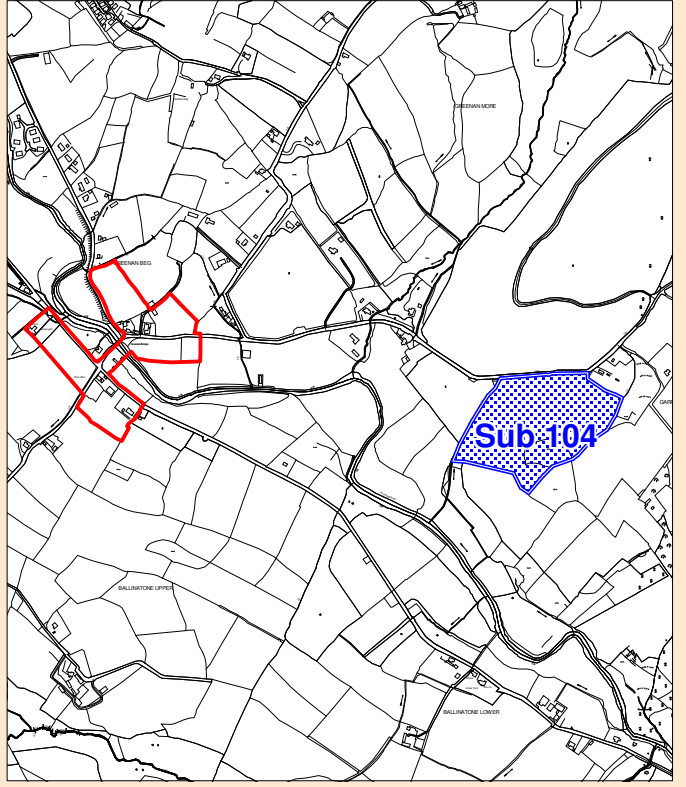
**Sub 78 - Ballyhenry Ashford**



**Sub 82 - Milltown South**



**Sub 39 - Ballylusk 39**



**Sub 104 - Greenane**



**TOPIC 6: SINGLE RURAL HOUSING OBJECTIVES**

**Summary of issues raised**

20	Jane Barry	The definition of 'proven need' for rural housing should provide for legal separation following common law partnerships, as well as marriages.
45 & 151	County Wicklow Community and Voluntary Forum & Wicklow Rural Pro-Planning Group	<ul style="list-style-type: none"> <li>i. Proposed objective RH14 should be replaced with existing policy SS9 from the current CDP</li> <li>ii. The provision that the rural housing policy be 'supreme' over all other policies should be re-instated.</li> <li>iii. The plan should be amended so that Section 47 agreements are not placed on renovated or extended properties</li> <li>iv. The plan should allow for the redevelopment of ruinous properties.</li> </ul>
68	European Club	Where an applicant for rural housing is engaged in a non-agricultural rural enterprise, they should not be required to demonstrate a need to live close to their place of work
113	D & B O'Neill	The provision in Section 6.3.2 relating to those whose rural lands have been subsumed into settlement should be expanded from 6 years to 12 years
114	Philip O'Reilly	The provision in the draft plan that states "Where no site choice is available, it cannot be assumed that permission will be granted solely on the grounds that the applicant has a bona fide necessity to live at that location" should be omitted as it is not consistent with the Sustainable Rural Housing Guidelines.
128	Pat Ruddy	The rural housing objectives should allow the granting of permission to <i>"Persons in full time employment in a rural based enterprise/business such as a golf course who demonstrate an ongoing interest in the business i.e. through directorship or part ownership should be considered favourably for a home where the following apply: The business is of such value that employs at least 10-15 people on a full time permanent basis or it occupies an area in excess of 150 acres; the subject lands are amenable to development and the proposed location of the dwelling is adjacent to the subject lands or within 1km for developments"</i>



		<i>such as hotels, holiday homes, golf courses and other facilities.</i>
153	Wicklow Uplands Council	Objective RH14 should be relaxed and additional housing in the countryside fostered

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#### Manager's opinion

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- i. Until common law partnerships are placed on a legal footing in Ireland, it is not considered appropriate to make provision for same in this plan.
- ii. The rural housing objectives for the County required to be reviewed in light of Ministerial guidelines on sustainable rural housing that have been published since the adoption of the previous plan. Furthermore, the review process provided an opportunity to re-craft the existing objectives in a more understandable and holistic manner, avoiding producing a 'list' of persons eligible for rural housing as such a list has proven in the past to be overly restrictive and does not allow the Planning Authority to consider genuine cases that do not neatly fall into a single category. Furthermore, a number of the existing categories in the 2004 plan are repetitive; some are ineffectual and some are simply non-compliant with the new Ministerial guidelines.

While the rural housing objectives set out in the draft plan are set out differently than the existing plan, the new plan essentially allows permission to be considered for those with a bona fide social or economic need to live in the rural area - the same provision in the 1999 and 2004 plans.

It is therefore not recommended that the objectives set out in the plan be replaced with those in the current plan, which would be considered regressive move and not in the public's interest.
- iii. We are no longer in an era where the desire of an individual to build a dwelling wherever they chose can be supreme over all else. For example, EU legislation supersedes national law and development cannot be considered that would be contrary to water and habitats directives. Furthermore, such a provision can lead to situation whereby the Planning Authority effectively have no control over the location, siting or design of a rural dwelling, once the applicant's bona fides have been established. This would be contrary to proper and sustainable planning and to the common good. Such a statement is also contrary to the Ministerial guidelines on Sustainable Rural Housing that the Planning Authority is obliged to have regard to. Therefore no change is recommended.

- iv. It is agreed that plan should not include a provision requiring a Section 47 restrictive occupation agreement on renovated / extended houses. This is strictly only on the basis however that the house in its predevelopment condition was habitable.
- v. The plan does allow for the redevelopment of ruinous buildings, subject to certain criteria.
- vi. With regard to those engaged in non-agricultural rural employment, if that employment does not require residence in close proximity, then there is no reason why the individual cannot live in a proximate settlement. In accordance with national policy, a bona fide connection or need to live in the rural area must be established.
- vii. Extending the 6 year provision to 12 years is considered reasonable
- viii. Not all sites will be suitable for development whether it be for reasons of traffic / public health hazard or adverse impacts on the environment / landscape and therefore it is necessary for the plan to be clear that permission will not be granted for an inherently unsuitable site just because the applicant has a bona fide case for a rural dwelling. The Sustainable Rural Housing guidelines clearly state that having established a genuine rural housing need, the development plan should make very clear that subject to satisfying normal planning considerations relating to **siting and design**, the planning authority will look favourably upon an applicant's proposal for an individual house. Therefore clearly the guidelines to not advocate the need to comply with siting and design criteria.
- ix. The proposed objective, which appears to be crafted to be location specific, with regard to those engaged in golf courses or other similar rural business is not considered reasonable or consistent with government guidelines. The key to rural housing is that one must demonstrate a genuine need for a rural home and this suggested objective does not provide for this.
- x. It would be contrary to government guidelines and proper planning and sustainable development to relax the rural housing policy. The impacts of any relaxation would be degradation of the rural landscape and water assets, social isolation, the break down of the town and village structure of the County with an undermining of the investment in services in the settlements, additional greenhouse gas emissions from increase car usage and many more impacts. Furthermore, a 'laissez faire' attitude to rural houses would result in a reduction in availability of suitable sites for genuine rural natives and an overall increase in the price of suitable houses sites. This is not considered a reasonable alternative.

## **Manager's recommendation**

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### **Chapter 6 'Rural Housing & Development'**

#### **Section 6.3.2 Houses in the open countryside (Level 10)**

**Amend as follows:-**

##### **NEW DWELLINGS**

**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.

##### **ECONOMIC NEED**

###### ***Involvement in agriculture***

The Planning Authority will positively consider applications from those who are significantly involved in agriculture. In such cases, it will be necessary for the applicant to satisfy the Planning Authority with supporting documents that the nature of the agricultural activity, by reference to the area of land and or / the intensity of the usage, is sufficient to support full time or significant part time occupation. Where the applicant has no previous experience in agriculture and/or is establishing a new or alternative agricultural enterprise, the Planning Authority shall require the applicant to establish the activity in question a minimum of three years prior to the application for permission for a dwelling, and provide evidence that the enterprise and the applicant have been successful during that period.

###### ***Involvement in non-agricultural rural enterprise***

The Planning Authority will support applications from those whose full time employment is intrinsically linked to the rural area, that can demonstrate a need to live in the immediate vicinity of their employment in order to carry out their employment. The Planning Authority will strictly

require any applicant to show that there is a particular aspect or characteristic of their employment that requires them to live in that rural area, as opposed to a local settlement. As above, where the applicant has no previous experience in the rural activity in question and/or is establishing a new or alternative rural enterprise, the Planning Authority shall require the applicant to establish the activity in question for a minimum of three years prior to the application for permission for a dwelling, and provide evidence that the enterprise and the applicant have been successful during that period.

## **SOCIAL NEED**

### ***Permanent native residents and returning emigrants***

The Planning Authority recognises the need of persons local to or intrinsically linked to rural areas that are not engaged in significant agricultural or rural based occupations to live in rural areas. In this regard, persons local to or intrinsically linked to a rural area are considered to include:-

- permanent native residents of that rural area i.e. a person who was either born and reared in the family home in the same rural area as the proposed development site, or resided in that same rural area for at least 10 consecutive years prior to the application for planning permission;
- permanent native residents who have not resided in that rural area for many years due to emigration, but were born and reared in the same rural area as the proposed development site, and now wishes to return to their local area;

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 6-12 years.

### ***Inheritance of a rural holding***

Persons who are not native to an area but have inherited / been gifted a rural holding from a close relative (father, mother, grandfather, grandmother or uncle/aunt with no children of their own) may be considered for rural housing where

- the land has been in family ownership since before October 1994
- the proposed dwelling and the holding are to be held as a single property and not subdivided;
- the applicant can show a social or economic need to live in the rural area in question.

## REPLACING OR RENOVATING AN EXISTING RURAL STRUCTURE

### REPLACEMENT DWELLINGS

**RH15** Applications for a new rural dwelling will be positively considered where the new dwelling is replacing an existing rural dwelling that has become obsolete or is not suited to modern accommodation needs. It will be necessary for the applicant to demonstrate that the structure being replaced is in fact a 'dwelling' and its residential use has not been abandoned. Where such permission is granted, there will be no requirement for any restrictive occupation clause under Section 47.

It will be a normal requirement of any such grant of permission that the existing dwelling be demolished upon completion of the new house. Where the existing dwelling is not proposed for demolition, the applicant shall include proposals for the existing house, including permission for any change of use. Any alternative use proposed e.g. tourism, storage etc must be consistent with the policies for that use set out elsewhere in this Plan. It will be a requirement of any grant of permission that the existing and new houses be held in single ownership.

### RENOVATION AND / OR EXTENSION OF AN EXISTING RURAL STRUCTURE

**RH16** Applications for the renovation and / or extension of an existing rural dwelling will be positively considered, subject to appropriate scale and high quality design (as set out in Section 6.4.3) and compliance with all normal planning criteria. Where such permission is granted, there will be no requirement for any restrictive occupation clause under Section 47.

Permission may in certain circumstances be considered for the conversion of non-residential rural structures to residential use and/or the renovation and extension of abandoned rural dwellings, where the building is of architectural, local, visual or historical interest to justify retention and conservation. Compliance with the following criteria shall be necessary:

- the original walls and roof must be substantially intact; buildings of a ruinous nature will not be considered;
- buildings must be physically capable of undergoing conversion and their original appearance must be substantially retained. A structural survey to this effect by a suitably qualified professional must be submitted as part of a planning application;
- works must be executed in a sensitive manner and retain architecturally important features whenever possible and make use of existing buildings and traditional and complementary building materials, techniques and specifications.

- where such 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.

TOPIC 7: DESIGN STANDARDS (CHAPTERS 5 & 6)

Summary of issues raised

31	John Byrne	Visual Impact Assessments and site suitability assessment should not be required for single rural houses
45	County Wicklow Community & Voluntary Forum	The plan should promote the consolidation of development in the rural area and the grouping of new development when considering granting permission for new houses in the countryside
61	Ecocem Ireland Ltd	The plan should include a specific objective promoting the use of low carbon concrete and cement which uses recycled industrial by-products.
80	Irish Concrete Federation	Rural housing standards should include a requirement for new housing applications to consider existing and potential future quarry activities in planning applications.
116	Padraig Smith Partnership	<p>i. When referring to 'high quality design, the rural design standards should insist on 'high quality <i>architectural</i> design'</p> <p>ii. The provision of the draft plan that states "While symmetry is not required, houses should be well 'balanced'. This will mean that any projections to the main body of the house will require to be sensitively designed and located and not cause the house to look 'lop-sided'" should be replaced by text "<b><i>Rural houses are to be designed by architects to a high standards and in an appropriate landscape sensitive manner</i></b>"</p>
145	The Campaign for Sustainable Rural Housing	A rural housing design guide should be produced and implemented
153	Wicklow Uplands Council	<p>i. Concern that the vision for rural house design is unduly influenced by an urban design mindset</p> <p>ii. Current design guidance favours roadside housing although historically clustered type homesteads off the road would have been prevalent</p> <p>iii. The design guidance in the draft plan recommends clustering of new development but does not allow shared services – clusters / hamlets are more reflective of tradition and community. Shared private wastewater treatment plants should be allowed (Objective RH5).</p>

		<p>iv. The design guidance included in the draft plan is overly prescriptive. Wicklow County Council should promote improved education on rural design and should produce a Design Guide.</p> <p>v. Requiring a Visual Impact Assessment in AONB is excessively onerous</p>
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#### Manager's opinion

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- i. It is considered reasonable to require a VIA for new development in the most scenic parts of the County, which are the most vulnerable to development. It is also considered reasonable to require the designer of the house to state how the final design resulted from an assessment of the site – the design of any house should be tailored to both the needs of the occupant and the characteristics of the house. Like many parts of the Country, Wicklow is home to too many 'pattern book' type houses that bear no relationship to their surroundings
- ii. The draft plan includes design standards for new rural houses, which specifically encourage clustering (Section 6.4.3 'Site selection' and 'Housing position and siting'). In an ideal situation, new rural houses would be clustered in a traditional hamlet type formation, with a single entrance, well set back from the road, and in a format that is sympathetic to the rural environment. However the reality is that those eligible for rural housing do not normally desire to live in clusters, except possibly with family members and even this occurs only rarely where land availability is limited.
- iii. The plan encourages environmentally sensitive design and requires new development to achieve high BER standards. However, it does not recommend one form of construction / use of construction materials over another as it is the end result that is the issue.
- iv. The fundamental aim of managing rural housing is to protect rural assets. Geology and aggregates are considered an asset worthy of protection and the plan includes a presumption away from dispersed rural development which could impact both on the operation of existing quarries and the exploitation of new sites. If there was sufficient detailed data to show where the best future assets were located, it would be possible to utilise such information to more effectively manage development in proximity to the best sites. However, until such info is provided, it is not considered reasonable to require potential rural applicants or the Planning Authority to evaluate or indeed reject applications for housing in the rural area due to potential impact on existing or future quarry activities in the area.
- v. It is considered that 'high quality design' implicitly includes architectural design. However, it also includes other elements of design such as genus loci, screening,



- assimilation, compatibility, etc. While in its broadest sense the word architectural would include all of these aspects, the normal public understanding tends to define it as the house design only, and for this reason it is considered best to leave the wording as it is.
- vi. The text in the draft plan regarding well balanced houses is considered reasonable and necessary to include.
  - vii. It is considered that the considerable guidance provided in Chapter 6 comprises a 'design guide'. The production of a design guide along the lines of the 'Cork Rural Design Guide' would not appear to serve any purpose other than expanding what is already in the plan and expending limited resources.
  - viii. The rural design guidance is not considered to be excessively influenced by an urban mindset - quite the opposite is in fact the case as the guidance seeks to limit the design to compatible with the rural environment. While the guidelines in this plan are tailored towards the characteristics of County Wicklow, they have been influenced by a number of the other design guides produced around the country by professional rural designers.
  - ix. The Planning Authority has no role in promoting education of rural design except through the production and implementation of documents such as the County Development Plan.
  - x. Shared private wastewater treatment plants that have been approved in the past have almost without exception proven to be problematic and present particular difficulties with regard to the standard of construction, ongoing maintenance and long term legal responsibility. In particular it is virtually impossible to enforce compliance as it is legally unwieldy to pursue several individuals for collective transgressions. The pollution risk from such systems is high and having regard to the Local Authority's obligations under the Water Services Act, the Water Framework Directive, the Groundwater Directive and other legislation, it is considered that the 'precautionary principle' should apply and such systems should not be considered. It should be noted that the plan does not provide restrictions for the provision of 'public' wastewater system provided by private individual i.e. the provision by a private developer of a system that will become part of the public system and operated by the Local Authority. The provision of such systems is and will continue to be by agreement with the Local Authority.

#### **Manager's recommendation**

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No change

SECTION C ECONOMIC DEVELOPMENT

CHAPTER 7 ENTERPRISE AND EMPLOYMENT

TOPIC 1: EMPLOYMENT ZONES IN 2004 CDP

Summary of issues raised

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62	Ecolo Data Centres Ltd	<p>This submission refers to the lands zoned in the 2004 CDP for employment purposes between Kilpedder and Newtownmountkennedy (Map 16C, County Development Plan 2004). The employment zoning in question measures c. 32ha and is zoned for <i>'To provide for agricultural uses with an option for the life of the plan to provide for a business, office, science and technology park set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage'</i>.</p> <p>It is requested that the 2004 zoning be re-instated as part of the new County Development Plan 2010-2016 and be amended to include:</p> <ul style="list-style-type: none"><li>a. A site-specific local objective encouraging the provision of Data Centre floor space at the subject site;</li><li>b. That a flexible range of uses be permitted on the subject lands in order to support the principal technology use.</li></ul>
131	Saltan Properties Ltd	<p>This submission refers to lands zoned in the 2004 CDP for employment purposes at Killoughter, Ashford (Map 28, County Development Plan 2004). The employment zoning in question measures c. 11ha and is zoned simply for 'employment'. It is requested that the 2004 zoning be re-instated as part of the new County Development Plan 2010-2016</p>
132	Sancrest Holdings Ltd	<p>This submission refers to the lands zoned in the 2004 CDP for employment purposes at Bromley, Kilpedder (Map 16F, County Development Plan 2004). This zone measures c. 26 hectares and is zoned <i>'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'</i>.</p>

		It is requested that the 2004 zoning be re-instated as part of the new County Development Plan 2010-2016, with the addition of a zoning objective for part of the lands (c.2.6ha) to provide for a motorway service area immediately adjoining the major junction.
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### **Manager's opinion**

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The Enterprise & Employment Chapter in the draft County Development Plan 2010-2016 has built on the previous plan and has endeavoured to continue successful strategies and to revise less successful strategies. The new chapter has also been crafted taking increased regard to the national and regional policy, in particular the principals of the NSS and the RPGs to consolidate development into designated settlements and to appropriately manage rural development. In this regard, a full review of all employment zonings was carried out as part of the plan review process and it was determined that a significant amount of zoned land is available in the towns of the County and that there is no need for additional ex-urban employment zoning.

Such zoning is unsustainable on many fronts, but in particular

- the distance from population bases, markets and town centres results in almost complete car dependency, which is a particular issue given the location of these employment zones at N11 junctions;
- the distance to settlement results in a lack of infrastructure including mains water and sewerage;
- the landscape impacts can be significant.

Furthermore, the majority of these sites zoned in the 2004 CDP have already secured planning permission for development, while a number have also already been refused by either Wicklow County Council or on appeal to An Bord Pleanála. The removal of the zoning for those with planning will have no effect on the planning permission, which can still be implemented.

### ***Mountkennedy, Kilpedder (Map 16C 2004)***

This zoning was strictly an option zoning for the life of the previous plan. Permission has been refused by ABP for the development of these lands, the refusal being principally based on the inappropriate location of the zoning dislocated from any settlement and the dependency on the N11 for access. There is sufficient land zoned in Newtownmountkennedy to accommodate any employment demand arising in this area.

***Killoughter, Ashford (Map 28 2004)***

These lands are considerably dislocated from any settlement and are dependent on the N11 for access. The lands are very open and exposed and located in a scenic rural zone. No application for permission has been received for these lands during the course of the current plan. The lack of control / design criteria for these lands is also problematic, as the current plan does not set out any text regarding the nature of the zoning.

There is sufficient land zoned in Ashford and Newtownmountkennedy to accommodate any employment demands that arise in this area.

***Drummin Kilpedder (Map 16F 2004)***

Permissions have been granted on most of these lands (which have not been initiated to date) which could provide a significant employment development at this location. The last remaining small portion of land that is not subject of any permission is not deemed significant or necessary for the overall development of this zone. Furthermore, the suggestion that these lands may be suitable for motorway service station type use is not considered appropriate, having regard to the relative proximity of a number of surroundings settlements to the N11, and the Council's desire that any demand for services from travellers would be directed into settlements.

**Manager's recommendation**

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No change

**TOPIC 2: NEW EMPLOYMENT ZONES**

**Summary of issues raised**

18	Ardea Ltd (Walter Brown)	<p>This submission relates to lands located to the north of Kilmacanogue village within the townland of Hollybrook, measuring c. 12ha. It is requested that</p> <ul style="list-style-type: none"><li>c. The existing settlement boundary for Kilmacanogue be extended to include the subject lands</li><li>d. When a Local Area Plan is prepared for Kilmacanogue that the subject lands should be zoned for Business, Office, Science and Technology Park set in an open parkland setting with extensive landscaping and a high architectural standard of layout and building design on the lands adjacent the N11.</li></ul>
26	Patrick Brady	<p>This submission requests that the boundary Kilpedder / Willowgrove be expanded to include a site of c. 7 hectares to the immediate west of the settlement boundary at the end of Johnstown Avenue and that these lands be designated for employment / commercial use.</p>
29	Derek Burton	<p>The submission relates to lands located to the east/southeast of the existing Derek Burton 4*4 sales in Kilpedder and measure c. 2.1ha. It is requested that the lands be zoned for 'E' Employment Uses.</p>
49	Edward Cullen	<p>This submission requests the designation of lands at Rathmore, Ashford as follows:</p> <ul style="list-style-type: none"><li>- c. 10 hectares for market gardening use</li><li>- c. 36 hectares for housing, commercial, industrial and employment uses.</li></ul> <p>The lands in question are located at the Killoughter Interchange to the east of the M11 approximately 3km north of Ashford.</p>
55	Devereaux family	<p>This submission requests that the boundary of Kilpedder/Willowgrove be expanded to include lands of c. 6.5 hectares to provide for community and employment uses in the form of a local business / employment area and a retirement village (nursing home and individual stand alone units).</p>
56	John Donnelly	<p>This submission relates to lands situated at Kilmurray, Kilmacanogue located just south of Sextons Garden Centre, bounded by the new N11 overbridge and new link road from the</p>

		bridge to the N11 junction, measuring c. 0.7 hectares. It is requested that these lands be designated for commercial/tourism use.
57	Denis Doyle	This submission relates to land located to the rear of the existing "Grove Bar" at Willowgrove, Delgany measuring 0.4ha. It is requested that the subject lands be given a dual zoning in the County Development Plan with Part A being zoned for tourism development and Part B being zoned for light industrial use.
69	Grattan Evans	<p>This submission seeks employment / mixed use zoning for c. 40 hectares at Priestsnewtown, between Greystones and the Kilpedder Interchange. The uses suggested are</p> <ul style="list-style-type: none"><li>- business/office parks, manufacturing, light industrial, warehousing;</li><li>- medical;</li><li>- an element of retail warehousing;</li><li>- leisure facilities, such as hotels, cineplex, bowling, restaurants, conference centre and possibly a casino,</li><li>- community / sports facilities.</li></ul>
75	James Harnett	This submission seeks employment zoning for lands measuring c. 2.5 hectares at Magheramore.
79	Sharon Hughes	This submission seeks employment zoning for lands measuring c. 4.2 hectares at Ballyhenry, Ashford
92	John Kinsella	This submission seeks the zoning of c. 19 hectares located in the townland of the Ballymanus - Ballyknockan, north-west of the boundary of Glenealy village, for mixed residential and employment purposes (employment zone being c. 10 hectares)
95	Michael Lawlor	This submission seeks employment zoning for lands measuring c. 0.8ha on Quill Road, Kilmurray, north of the Glen Of The Downs overbridge.
134	George Smullen & Patrick Keogh	This submission requests employment zoning for the existing "Wicklow Woods" site at Knockloe, Tullow (c. 4.4 hectares) for the following uses: Forestry/Timber/Concrete, Furniture and other storage, Recycling, Agri product suppliers, Tourism.
136	George Smullen	This submission seeks employment zoning for lands measuring 2.65 hectares at Timmore, Newcastle (former Abwood site)

## **Manager's opinion**

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### ***Kilmacanogue***

#### ***No. 18***

With regard to the village boundary of Kilmacanogue, the boundary as set out in the draft plan is considered to provide adequate lands for the development of Kilmacanogue, given its location and role in the settlement hierarchy and its designated economic function (as an attractor for local investment). Any extension of the village boundary to the north would lead to an unacceptable blurring of the distinction between Kilmacanogue and Bray and is not recommended.

Kilmacanogue currently has only a 'development boundary' with no specific zonings. It is intended to address this with the preparation of a local plan during the course of the County Development Plan (Objective RH10). It is recommended that decisions on specific uses should only occur through a local plan making process whereby local issues can be addressed in detail and the local community consulted. This local plan making process can consider the need for employment land in the village, particular having regard to the availability of existing designated development land in this and in other proximate settlements. If through this process it is determined that additional lands are required, this could be addressed by way of variation of the County Development Plan.

#### ***No. 56***

The lands in question are located immediately south of Sextons, to the south of the N11 overbridge and are bounded on all sides by roads or existing houses. This is a scenic rural location in the Glen of the Downs, a designated Nature Reserve. Permission has previously been refused for commercial use of this site, for the following reasons:-

- the commercial use of this land would compromise the integrity and capacity of the N11 interchange would seriously interfere with the free flow and safety of traffic on the N11 and adjoining public roads;
- the commercial use of the land would serious impact on scenic and rural amenities of the area
- services issues, particular with regard to the disposal of wastewater.

This proposed zoning is therefore not recommended.

#### ***No. 95***

The site is located in the rural zone between Kilmacanogue and Glen Of The Downs, adjoining the west side of the N11. The site was previously used as a depot for the road improvement programme in the area. While there may be some services connections via private mains to Kilmacanogue, these services are not adequate to accommodate any scale of employment development. Any development on these lands would be clearly open and visible to the N11

and would be directly adjoining a number of residences in the rural area. Access to the site is via the N11 Glen of the Down interchange, but the linkage from this interchange to the site is unlikely to be adequate in width and alignment to accommodate employment traffic. Therefore it is not recommended for employment designation.

***Kilpedder (Submissions 26, 29, 55, 57)***

***No. 26***

It is put forward in this submission that there is existing permitted commercial use of this site and the designation of the site for commercial use within the village of Kilpedder will serve to regularise this use. However, Kilpedder only has a 'development boundary' with no specific zonings. Therefore the extension of the village boundary would not offer any specific designation to the site and would not in any way 'regularise' the development on the site. If the site has valid permission for the current operations, then there is no apparent need for the boundary extension of the 'zoning' of the land. Therefore no change is recommended

***No. 29***

This site is located outside of the boundary of Kilpedder and is south / east of the existing car sales / service commercial site. This site is at the far side of the N11 from the village boundary, with no direct road links to the village. The lands are currently in agricultural use and are to the rear of a number of residences. It is not considered appropriate to recommend this zoning as any further commercial development at this location would give rise to the erosion of the rural landscape, would significantly impact on the adjoining residences and would be likely to have significant adverse traffic impacts given the access arrangements to the site are via a substandard junction on the N11.

***No. 55***

The lands in question are located to the east side of the existing village boundary, between the village boundary and the N11, north of the new interchange and associated slip road. The landholding adjoins the new slip road and roundabout, but does not extend as far east as the N11. As set out above, villages such as Kilpedder do not have zoning plans and therefore a simple boundary extension would not designate land for a particular use.

***No. 57***

The lands in question are located to the east of The Grove Bar. These are located within the development boundary of Kilpedder – Willowgrove. As set out previously, villages such as Kilpedder- Willowgrove do not have zoning plans and it would be illogical and inconsistent to zone just these lands for a particular use. The proposed use of the lands for tourism / employment use can be considered in light of the objectives of Chapter 8 of this plan 'the Rural Economy' and Chapter 9 'Tourism' without the need to designate these lands.



***Ballymanus, Glenealy***

The proposed employment lands are located to the rear (west) of the GAA and are separated from the existing village boundary by a tract of land that is proposed in the same submission for residential designation. There is no justification in population terms for the residential zoning requested and therefore to consider the employment zoning would result in an employment area dislocated from the village, extending out into the scenic rural area beyond the built up envelope of Glenealy, with no direct road access. The road in closest proximity to the site (Glenealy – Ashford Road) would not be adequate in width and capacity to accommodate a large scale employment zone. Furthermore, at this time there is no wastewater treatment capacity available for such a large-scale additional development and this is not likely to be rectified during the lifetime of this plan.

It is not sufficient to simply extend the village boundary to include this land as such small villages have no zoning plans.

***Rathmore, Ashford***

The lands in question are located to the east of the M11 and are accessed via an existing laneway off the Killoughter Road. There are existing holiday homes in the centre of the landholding proposed for designation. Lands to the north of the proposed market gardening zoning are zoned for employment uses in the CDP 2004-10.

The lands are located in a landscape area designated as a 'Corridor Area' in the CDP 2004-10 and Draft CDP and are quite elevated and exposed when viewed from the M11. The lands are unserviced in terms of a public mains water supply and public sewers.

Having regard to the quantum of land proposed to be zoned (46.44ha in total) and the variety of uses on the land the submission equates to a proposal for a new settlement in an unserviced rural area. Given the availability of zoned lands for residential, employment, and industrial uses in the existing settlements surrounding the site (i.e. Ashford, Wicklow, and Newtownmountkennedy) there is no requirement to zone additional lands on unserviced greenfield lands for such uses. Such a designation is considered unnecessary and unsustainable.

***Priestsnewtown, Greystones***

Having regard to the quantity and availability of zoned employment lands in both Greystones and Kilcoole, there is no justification for such large scale zoning. Furthermore, the zoning proposed would

- unsustainably encroach into the 'greenbelt' between Greystones/Delgany and Kilcoole / Kilpedder and result in urbanisation of this rural area;
- undermine the viability of existing zoned employment areas such as the IDA lands at Greystones and Fassaroe, Bray;

- be car dependent given the distance to population and the market, contrary to the principles of sustainable employment planning which recommended that 'people' dense developments be located on public transport routes;
- Place additional demands on water and sewerage infrastructure (to which it is not currently connected) to the detriment of the settlement of Greystones and surroundings settlements;
- the distance to settlement results in a lack of infrastructure including mains water and sewerage.

Therefore this suggested zoning is not recommended.

#### ***Magheramore***

This land is located on the east side of the coast road (R750) just south of Blainroe. No justification for the zoning is put forward, nor the type of employment envisaged. The site is distant from any settlement, centre of population or market, is wholly car dependent and has no mains services. The site is located between the road and the coast, within a protected prospect. Therefore it is not recommended.

#### ***Ballyhenry, Ashford***

The site is distant from any settlement, centre of population or market, is wholly car dependent and has no mains services. Therefore it is not recommended for employment designation.

#### ***Tullow***

The lands in question are located at Knockloe and Rath East on the north side of the regional road R725, a designated 'rural' landscape zone. While there is an established sawmill usage on this site, unauthorised change of use of some of the site appears to have taken place and the site is subject to ongoing enforcement action. Furthermore a number of applications for permission have been refused on the site, principally because of the rural nature of the site which is unsuitable for intensive industrial activities and because of services issues, there being no mains services to the site. It is considered that the policies and objectives set out in Chapter 7 'Enterprise and Employment' and Chapter 8 'The Rural Economy' are considered to provide sufficient scope to facilitate and guide any future development of such a site. It is therefore considered that to designate the lands for employment purposes would not be appropriate.

#### ***Timmore, Newcastle***

The subject lands are located in a rural area to the south of Newtownmountkennedy and to the north of Ashford and comprise the former Abwood site. The site is open with views to the N11 and development at this point would be visible from same. This area is rural in character with some scattered housing, and is designated as a 'Corridor' Area. These lands are located

outside of any designated settlement and are not considered suitable for employment zoning having regard to

- the available of zoned employment land is nearby settlements, principally Newtownmountkennedy
- The impact such zoning would have on the rural character of this area and surrounding rural residences
- the open aspect of the site to the N11, the principle tourist route in the County
- the inadequate road access arrangements to the site, via Timmore Lane.
- the lack of mains services.

Therefore this zoning is not recommended.

#### **Manager's recommendation**

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No change

**TOPIC 3: EMPLOYMENT OBJECTIVES**

**Summary of issues raised**

53	Delgany Community Council	It is suggested that the plan should include a policy which would encourage small-scale local enterprises and employment opportunities based not on construction but on sustainable use of indigenous local resources.
157	Enterprise WCC	<p>Section 7.4.3</p> <p>Objective EMP 21</p> <p>It is requested that the text be changed as follows:-</p> <p>Wicklow County Campus, Clermont House</p> <p>It is the objective of the Council to <del>promote</del> <b>develop</b> Wicklow County Campus, Clermont House in conjunction with the Carlow Institute of Technology <b>and other stakeholders</b> as a third level education facility and as a centre of excellence for enterprise development, education, training , research and development.</p> <p>Section 7.4.2 Objective EMP3</p> <p>It is suggested that the requirements to preserve 15% of residentially incompatible / low sites coverage businesses and 5% for start up businesses may not always be appropriate for all development types.</p>
159	Construction Industry Federation	<p>i. It is suggested that the Council would adopt positive employment creation policies that will support and secure future development generating economic benefit for the County and taking advantages of its strategic location.</p> <p>ii. It is suggested that the Wicklow County Development Board Outlook Strategy should be reviewed to ensure strategic policies contained in the Development Plan 2010-2016 is up to-date with the County Board Outlook Strategy and contains sufficient economic strategies.</p>

**Manager's opinion**

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The entire aim of the plan, and particularly those chapters that address employment and economic activity, is create a framework for development, growth and prosperity, with a particular focus on attracting new employers to the County and fostering indigenous local enterprise. This land-use plan only forms a part of the wider Economic and Employment Strategy of the Council, being pursue through the Economic Development Directorate, the County Enterprise Board, the County Development Board and other agencies. "*Outlook:*

*Wicklow County Development Board's Ten Year Strategic Plan for County Wicklow 2002-2012*", which was prepared by Wicklow CDB, in consultation with key stakeholders was reviewed in 2009.

***Wicklow County Campus, Clermont House Objective EMP21***

The proposed change in wording suggested is considered reasonable and will more fully allow for the future development of Clermont Campus.

***Objective EMP3***

The objective to reserve 15% of all employment zoned land for residentially incompatible businesses / businesses that require large site areas and 5% for start up units in Local Area Plans and Town Plans is considered appropriate as an objective and is achievable and is a response to a problem that has emerged in Wicklow over recent years. In each LAP/TP process, all the employment zones will be assessed and suitable sites for such uses as outlined in objective EMP3 will be identified and zoned. It is recognised that not all employment zones are suitable for these types of businesses hence it will be applied after detailed analysis in the drafting of new plans, and shall not apply retrospectively to lands currently zoned in the County.

**Manager's recommendation**

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Amend the plan as follows:-

**Chapter 7 'Enterprise & Employment'**

**Section 7.4.3**

**EMP 21          Wicklow County Campus, Clermont House**

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.

**TOPIC 4: MISCELLANEOUS EMPLOYMENT ISSUES.**

**Summary of issues raised**

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53	Delgany Community	The dispersed settlement pattern of the County does not facilitate employment and enterprise within urban areas.
90	Kilcoole Community Development Association	The existing employment and industrial development uses identified in the plan should be surveyed and examined further in order to ensure that there is an appropriate amount of economic development to serve the projected population.
96	Paul Leahy	<ul style="list-style-type: none"><li>i. The plan should encourage and promote the development of appropriate types of employment in tandem with the relevant population and its future growth.</li><li>ii. The plan should encourage the development of Small to Medium enterprises instead of multinationals.</li><li>iii. The plan should promote the development of niche brand activities in rural areas.</li></ul>

**Manager's opinion**

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It is recognised that Wicklow has a dispersed settlement pattern and that this impacts on economic activity in urban areas. Having an employment base and a strong market close by is important to the majority of employers and will be a factor in the decision regarding whether to site a new business at a particular location. A core aim of this plan, in accordance with the National Spatial Strategy and Regional Planning Guidelines for the Greater Dublin Area, is to consolidate and intensify development in the main settlements of the County and counteract dispersed growth, to that strictly meeting local rural needs.

A comprehensive survey and assessment of the existing and projected population of the County, current and projected labour force trends as well as the existing and future employment and enterprise of the County has been undertaken in drawing up the plan objectives for employment and enterprise. As a land-use plan document, the draft plan has ensured that there is adequate land zoned for employment and enterprise, which in turn complements the CDB and the CEB in their role in facilitating the economic development of the County.

Objective EMP 4 of the draft plan is *to support all forms of employment creation* and Objective EMP3 specifically caters for the smaller businesses as well as incubator / start-up units in the

County by ensuring that Local Area Plans and Town Development Plans provide a portion of zoned land for small to medium enterprises.

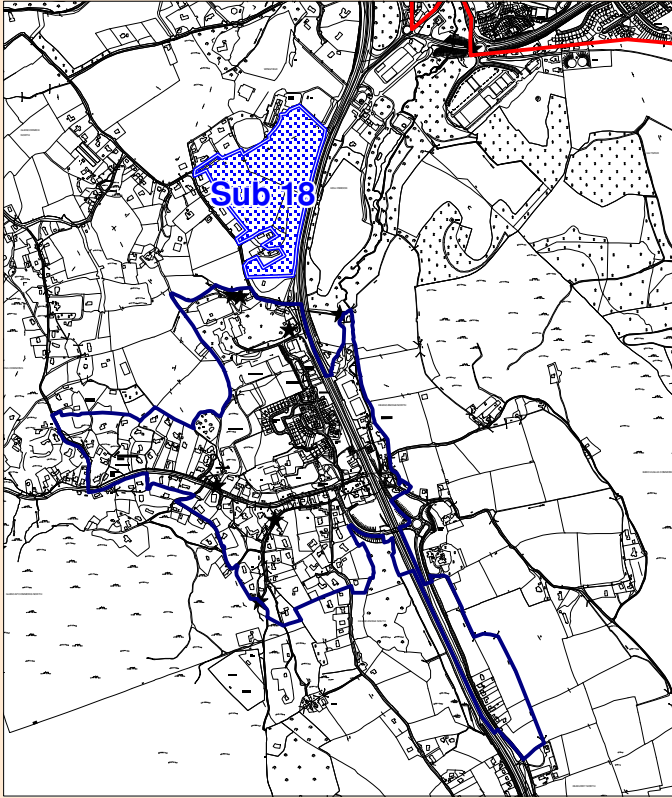
While the draft plan does not specifically refer to 'niche' brands, the policies and objectives of the draft plan in both Chapters 7 and 8 have been crafted with a view to fostering start up and unique businesses and new products, in rural as well as urban areas.

**Manager's recommendation**

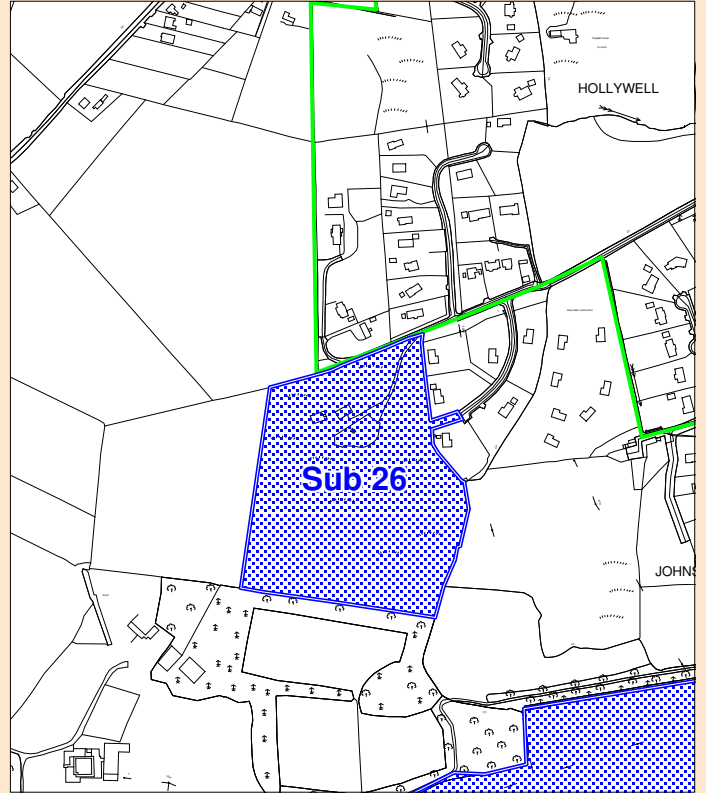
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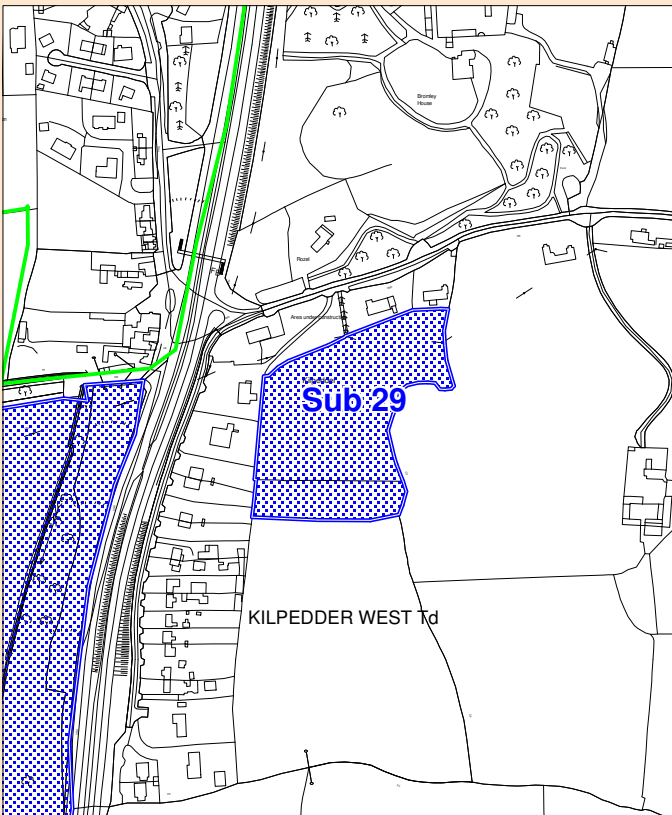
## Employment Zoning Submissions (A)



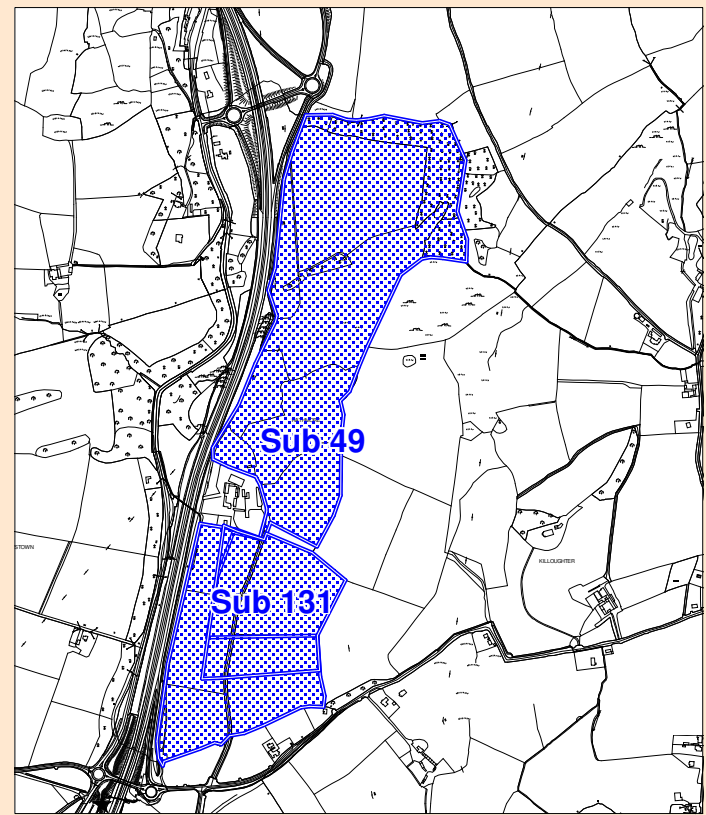
**Sub 18 Ardea Ltd - Kilmacanogue Employment Zoning**



**Sub 26 Patrick Brady - Kilpedder Employment Zoning**



**Sub 29 Derek Burton - Kilpedder Employment Zoning**

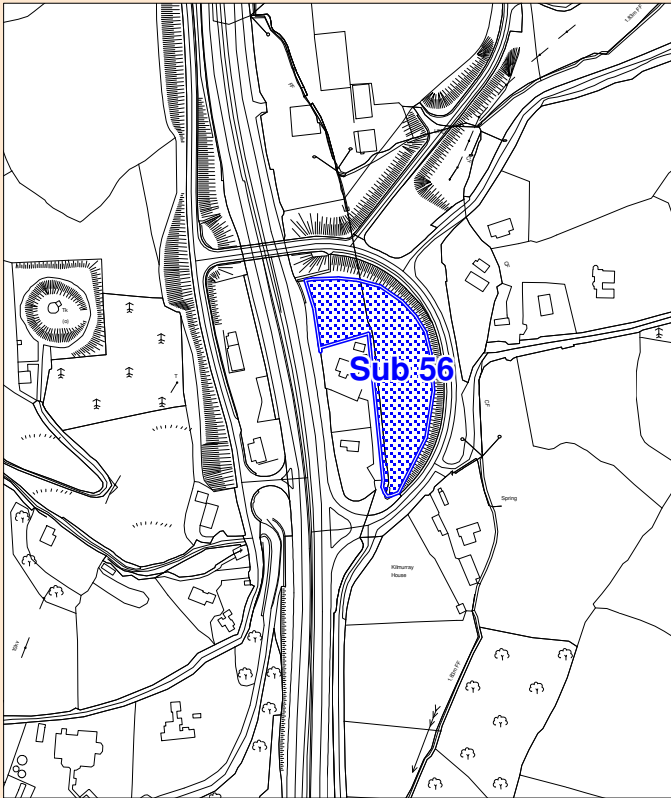


**Subs 49 (Edward Cullen) and 131 (Saltan Properties Ltd)  
Rathmore - Employment Zoning**

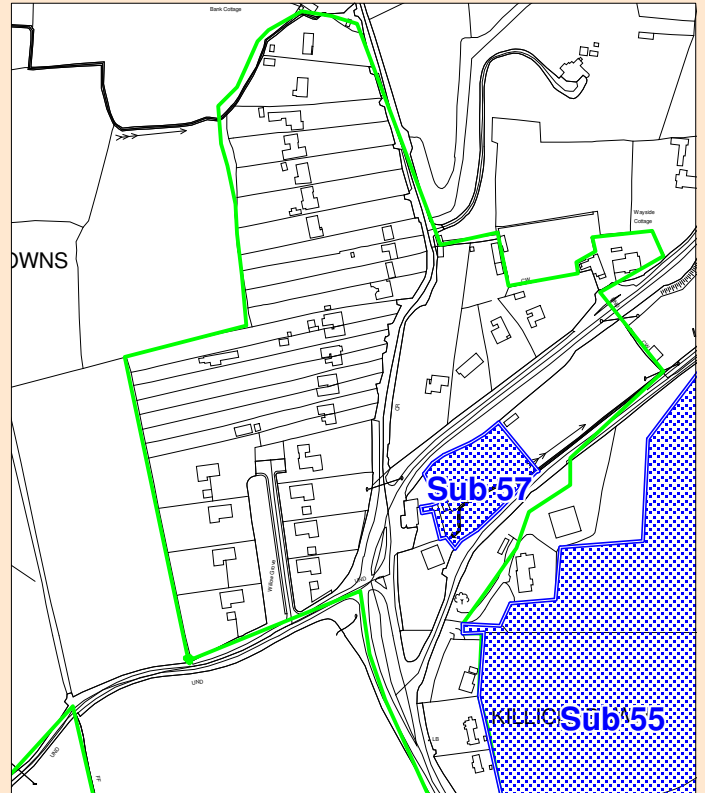




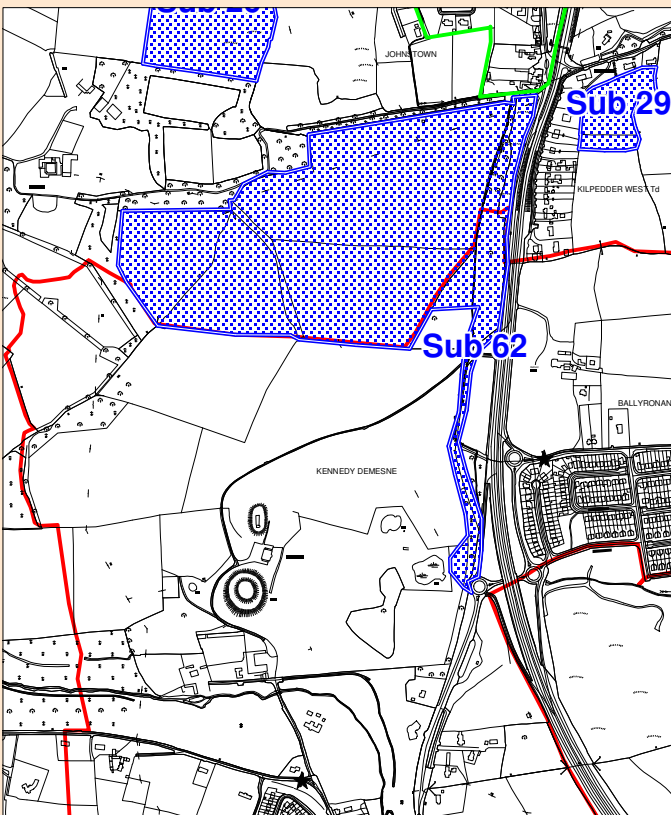
## Employment Zoning Submissions (B)



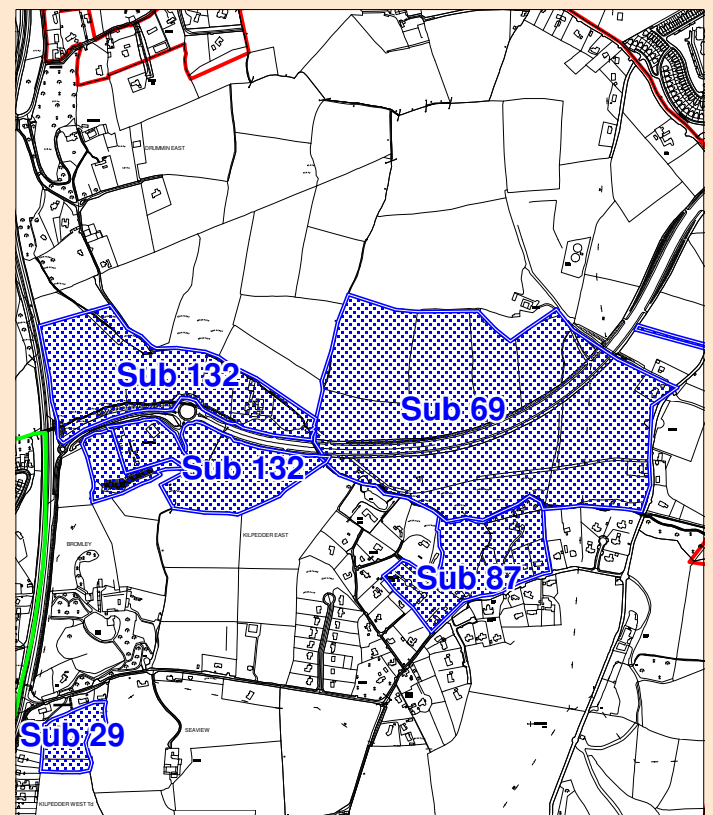
**Sub 56 John Donnelly - Kilmurray Employment Zoning**



**Sub 26 Patrick Brady - Kilpedder Employment Zoning**



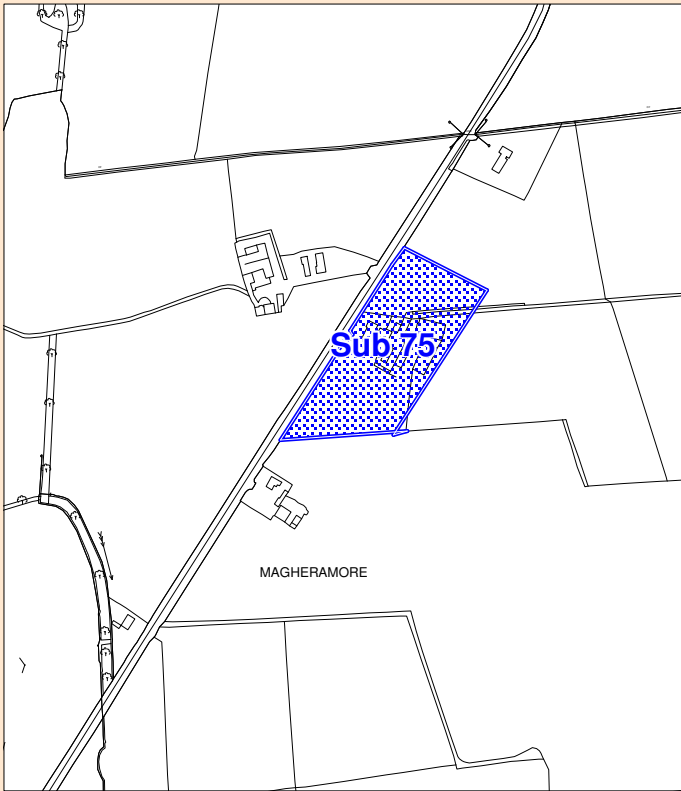
**Sub 29 Derek Burton - Kilpedder Employment Zoning**



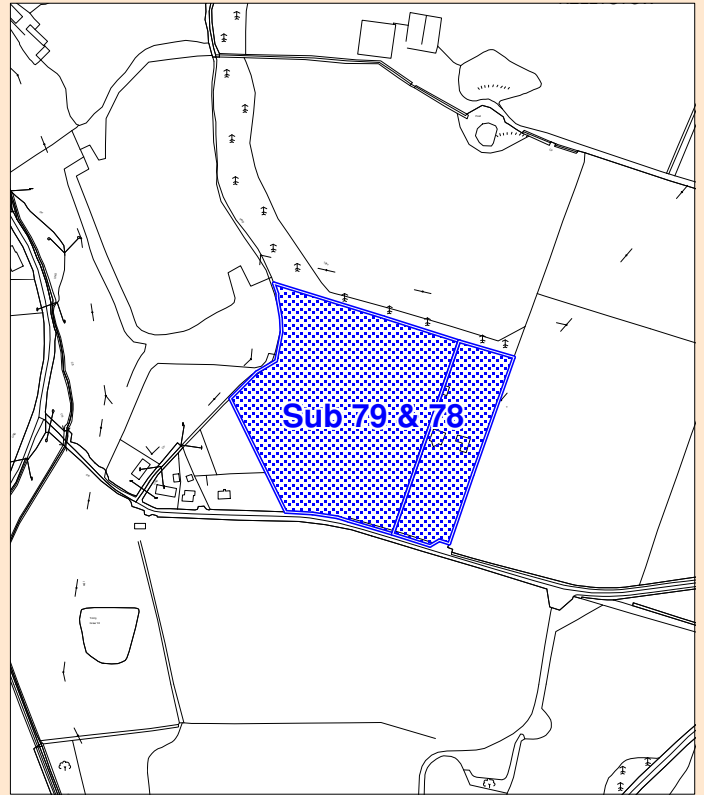
**Subs 49 (Edward Cullen) and 131 (Saltan Properties Ltd)  
Rathmore - Employment Zoning**



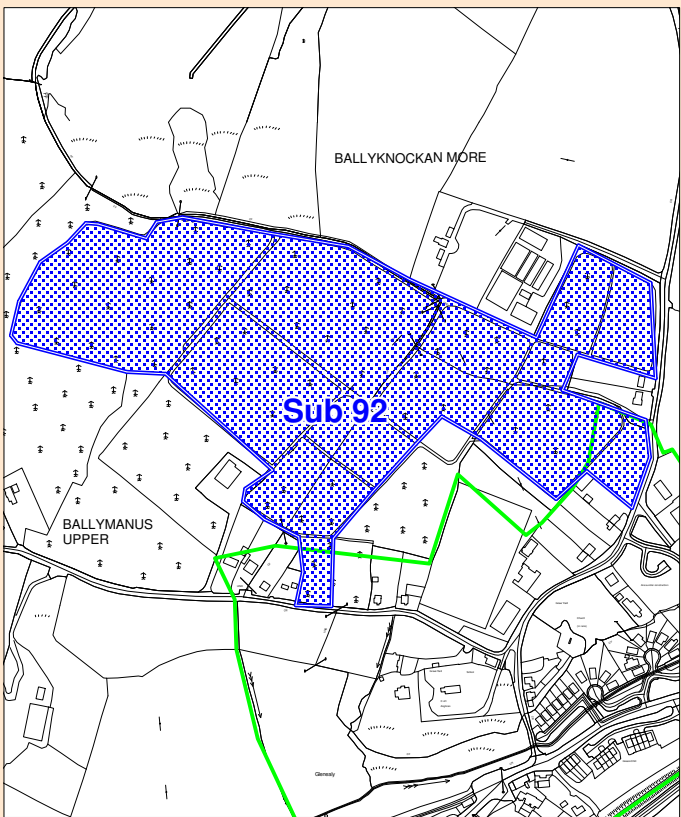
## Employment Zoning Submissions (C)



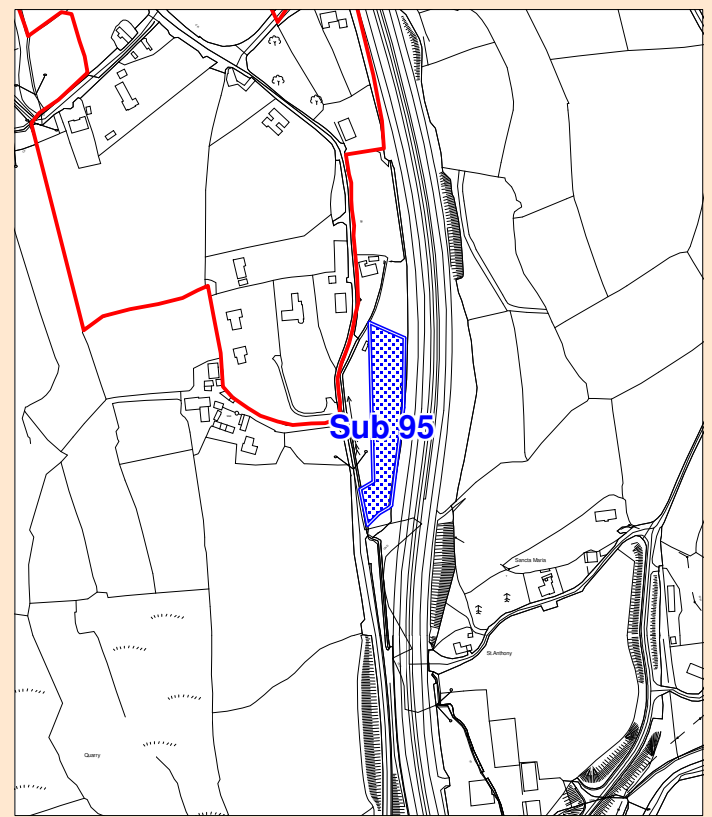
**Sub 75 - Magheramore Employment Zoning**



**Sub 79 - Ballyhenry/Ashford Employment/Tourism Zoning**



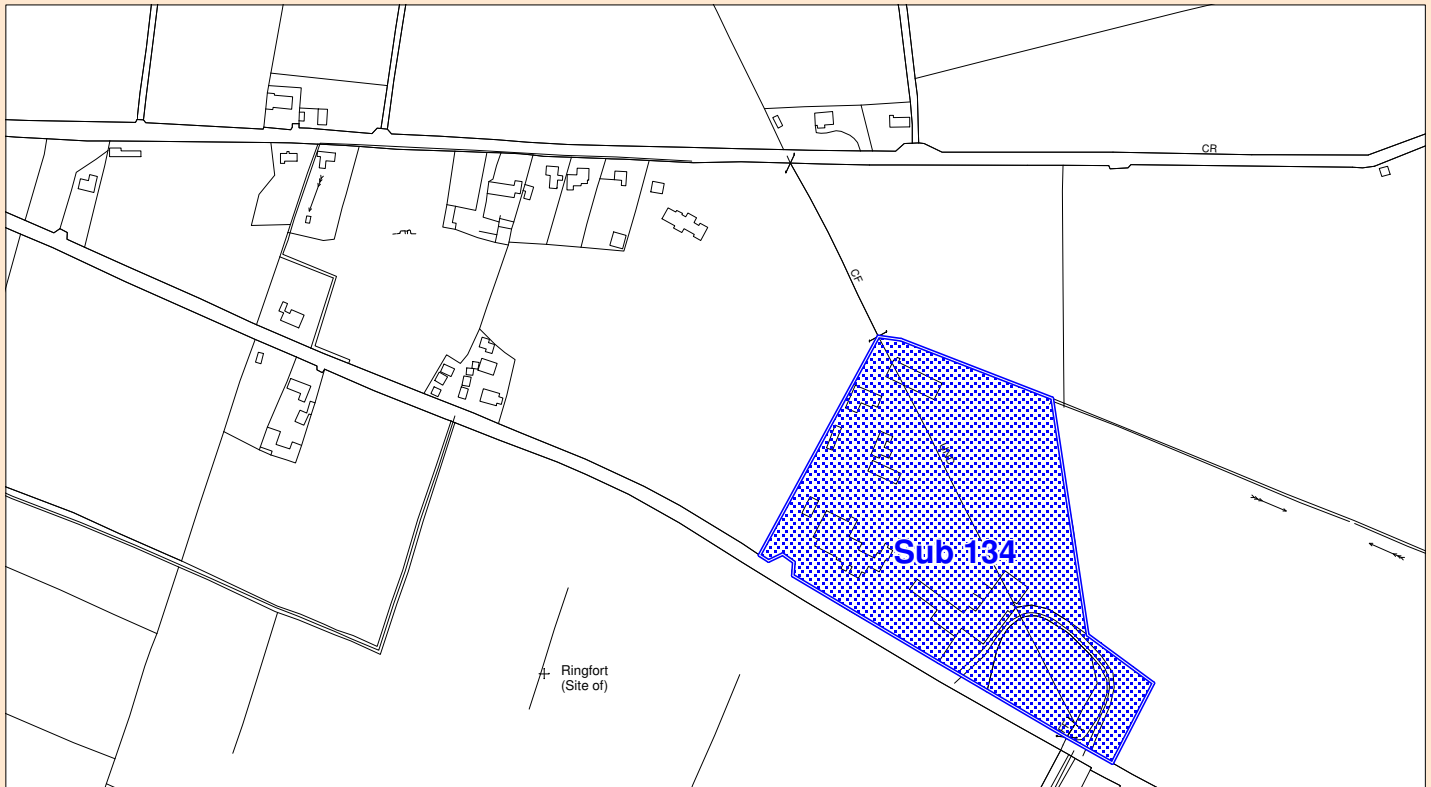
**Sub 92 - Glenealy Employment Zoning**



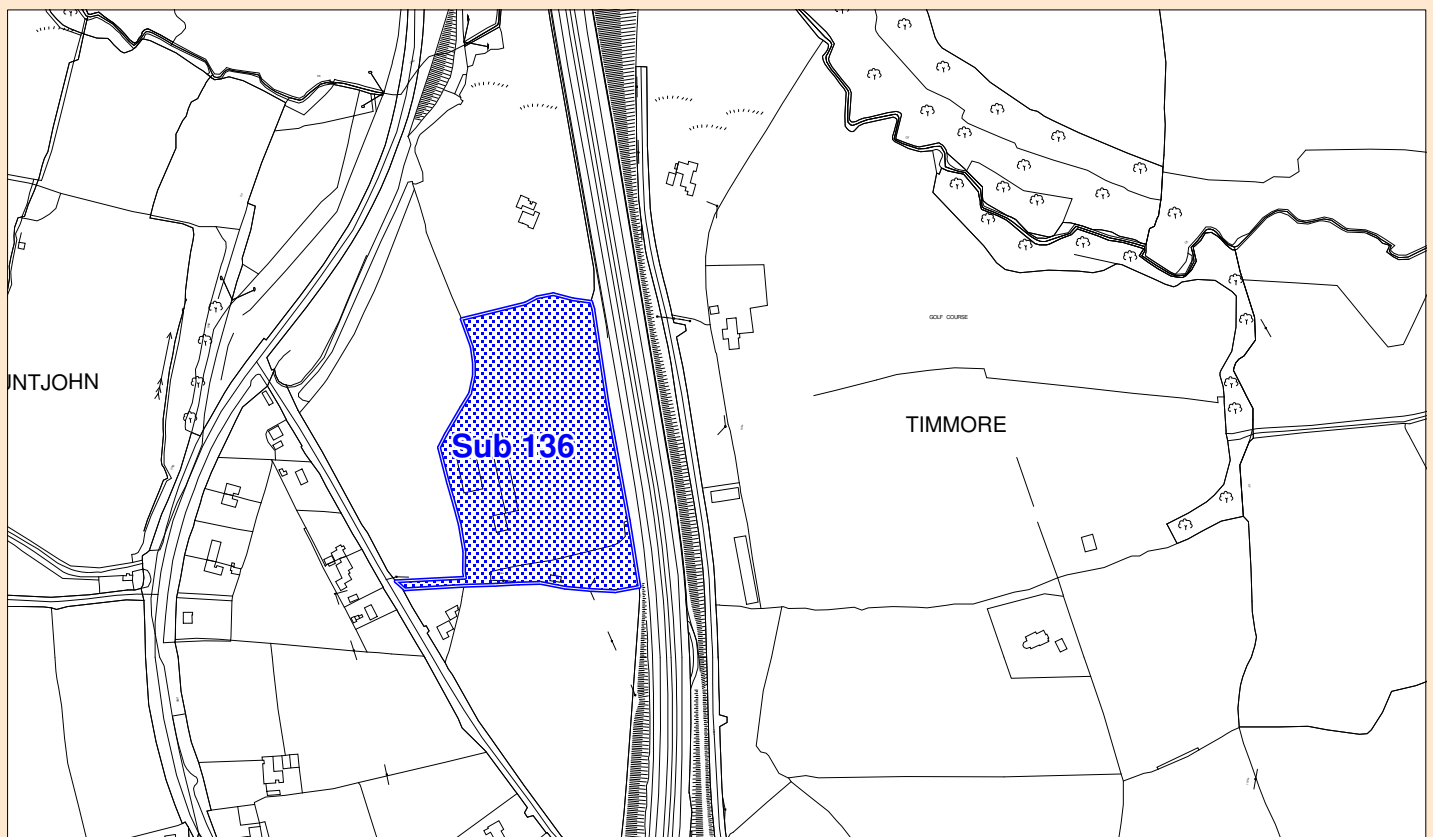
**Sub 95 - Kilmurray North Employment Zoning**



## Employment Zoning Submissions (D)



**Sub 134 George Smullen & Patrick Keogh Knockloe, Tullow Employment Zoning**



**Sub 136 George Smullen - NTMK Employment/Tourism Zoning**



**CHAPTER 8 'THE RURAL ECONOMY'**

**TOPIC 1: COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN RURAL AREAS**

**Summary of issues raised**

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31	John Byrne	It is suggested that the objectives RUR1, RUR4, RUR5 and RUR6 impose unnecessary restrictions on development of rural businesses.
53	Delgany Community Council	It is suggested that the plan should include a policy which would encourage small-scale local enterprises and employment opportunities based not on construction but on sustainable use of indigenous local resources.

**Manager's opinion**

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The rural employment objectives contained in the draft plan actually constitute a 'relaxation' of current policies and it is considered that the draft plan allows for wider range of employment types in the rural area than heretofore. It is not agreed that the rural employment objectives listed excessively restrict rural enterprise – it is considered that the level of control contained in these objectives is correct given the sensitive and vulnerable nature of the rural area and the overriding objective of this plan to protect the rural zone and its assets from inappropriate development.

The rural zone is not generally suitable for intensive and non-resource related industry / commercial activity, but the objectives included in the plan do allow for a certain quantum and type of non-resource related economic activity nonetheless. It is considered wholly appropriate therefore that control measures are utilised to ensure that such activities do not excessively damage the rural environment and way of life.

There are a number of references through Chapters 7 and 8 regarding small businesses, fostering enterprise and the exploitation of natural resources and products and it is considered that these objectives create the right framework the development of new industries and products.

**Manager's recommendation**

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No change

TOPIC 2: AGRICULTURE

Summary of issues raised

153	Wicklow Uplands Council	The plan should address the impact of the decline in farm employment and low farm returns.
85	Keep Ireland Open	<p>i. It is requested that the following paragraph should be included under the heading "Agriculture" P77 of the County Development Plan:</p> <p><i>"Land-use and agriculture should be considered in a new light since the introduction of the Single Payments Scheme which is leading to a fundamental shift in farming practice. Up to now all land has been regarded primarily as agricultural. Now under the SFPS regime, commonage and other rough grazing land should be regarded primarily as an environmental/recreational resource. Farmers will be encouraged to see themselves as custodians of the countryside. The requirement to farm environmentally as a condition of payment of subsidies should be extended to include the provision of reasonable access to the countryside"</i></p> <p>ii. It is requested that following objective be included:</p> <p><i>"It is a requirement of the Planning Regulations 2001–2006 (91)(x) that the fencing of hitherto open land used by the public during the 10 years preceeding such fencing, requires planning permission. Traditional hill sheep farming rarely required fencing but, since the introduction of REPS, sheep farmers are required to stock-proof their lands. The challenge is to ensure that such fencing will be done in a manner that will meet the requirements of REPS without impinging on access for hill walkers.</i></p> <p><i>Taking account of (a) the needs of farmers and (b) the desirability of maintaining access for hill walkers, the Council will use the following criteria when considering applications for new fencing on hitherto open land:</i></p> <p><i>a. Amenity Areas Fencing in upland or amenity areas will not normally be permitted unless such fencing is essential to the viability of the farm and that it conforms to best agricultural</i></p>

		<p><i>practice.</i></p> <p><i>b. Materials The nature of material to be used, the height of the fence and, in the case of a wire fence, the type of wire to be used will be taken into account. Barbed wire will not be used for the top line of wire.</i></p> <p><i>c. Access Stiles or gates at appropriate places will be required."</i></p>
90	Kilcoole Community Development Association	<p>Given the existing amount of farmland within Kilcoole and the pressure to develop such lands, it is important that the plan include objectives, which encourage and facilitate agricultural diversification such as agri-tourism, forestry activities.</p>

### Manager's opinion

The draft CDP recognises that there has been a significant change in agriculture and Section 8.2.2 of the draft plan sets out the changing context of agriculture in the County, including the falling number employed in the sector, the falling incomes and the impacts of EU reforms. It is not considered necessary in such a strategic land-use plan to go into the type of detail suggested regarding SFP scheme. The policies and objectives for agriculture contained in the draft plan have been drawn up in light of this context and specifically aim to "*encourage the continued operation of farming and its associated uses where it already exists, and to facilitate the diversification of the agricultural economy through the support of appropriate alternative farm enterprise sources.*"

Issues relating to access are dealt with in more detail under Chapter 17 to follow, which addresses the issue of recreational use of natural resources and access to the countryside. Specifically with regard to the suggested objective about fencing, the Planning Regulations 'de-exempt' any otherwise exempted fencing works where such fencing would preclude access to lands that have been habitually open (for more than 10 years) for recreational use or as a means of access to any seashore mountain lakeshore riverbank or other place of natural beauty and recreational utility. It is not considered necessary to re-state this in the plan. Furthermore, it is not considered necessary to include detailed controls as suggested with regard to the design of fences as this can be dealt with through the development management process.

### Manager's recommendation

No change

**TOPIC 3: FORESTRY**

**Summary of issues raised**

85	Keep Ireland Open	<p>It is suggested that the plan include the following objectives:</p> <ul style="list-style-type: none"><li>i. To encourage access to forestry including private forestry, for walking routes, mountain bike trails, bridle paths and other non-noise generating activities</li><li>ii. To ensure that forestry will not obstruct existing rights of way or traditional walking routes</li><li>iii. To identify existing rights of way and established walking routes before planting commences</li><li>iv. That existing Rights of Way and established walking routes be identified prior to any new planting,</li><li>v. Forestry will not be permitted on ridgelines nor shall it be visually intrusive on the landscape</li><li>vi. To compile a list of recreational forests be included in the Plan.</li></ul>
123	Purser Tarleton Russell Ltd	<ul style="list-style-type: none"><li>i. References to Coillte on Objectives FTY1 and FTY2 should be omitted as there are a number of other forestry organisation bodies who are centrally involved in forestry such as the Wicklow Private Woodlands Owners Group and forestry consultants and companies through the Society of Irish Foresters.</li><li>ii. Objectives should be included that encourage the development of local pulpwood markets within the County and that the Council would actively promote the use of wood biomass fuelled heating systems in public buildings.</li></ul>
143	Teagasc	<p>It is suggested in relation to objectives FTY1 1 and FTY2 2 that there should be reference to the "Wicklow Private Woodland Owners Group" in addition to Coillte and the Forest Service and that the Council would promote an active Forestry Forum which has occurred in other counties.</p>

150	Wicklow Private Woodlands Owners Group	<ul style="list-style-type: none"> <li>i. The Local Authority should carry out an audit/inventory of private woodlands in the County to fully assess the level of ownership and the wood resources.</li> <li>ii. The plan should include objectives to promote the use of "wood energy" in public buildings and in addition the Local Authority should provide financial support for new initiatives and promote recreational, environmental and tourism projects within the County.</li> <li>iii. The plan should include objectives pertaining to timber processing facilities and should actively encourage these developments.</li> <li>iv. Wicklow County Campus in Rathnew would be an ideal location for national and county forestry or wood science courses and in addition Wicklow County Council should provide financial support to assist and establish research sites throughout the County.</li> <li>v. WCC should actively encourage the curtailment of the grey squirrel and Deer this could be done through the forum that Wicklow County Council is a member of.</li> <li>vi. There should be provision and encouragement of car parks and amenity facilities for the public to utilise private woodlands in all areas including AONB.</li> <li>vii. Objective FTY7 should read: "To encourage the development of forestry for timber biomass which can be used as a renewable energy source <i>including wood chip, wood pellets and other products for renewable energy</i>". In addition that the Local Authority should encourage investment for wood energy processing facilities.</li> <li>viii. Wicklow Private Woodland Owners Group should be consulted along with Coillte and the Forest Service.</li> </ul>
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#### Manager's opinion

##### *Access to and recreational use of forests*

It is the stated objective of the plan "*to promote the use of forests for appropriate recreation purposes and to facilitate the development of appropriate recreational facilities at suitable*



*locations*” where this is compatible with other important forestry objectives / initiatives along with other planning considerations.

With regard to established ROWs or walking routes, such routes cannot be protected by the provisions of such a land-use plan until they are identified and verified. It was previously determined that inadequate information was available to draw up a comprehensive or accurate list and that legal difficulties were likely to arise regarding the validity of certain ROWs, land ownership issues etc. It was agreed in 2004 that this issue would be progressed after the adoption of the 2004 plan on the principle of ‘agreed access’ and in this regard, the ‘Wicklow Countryside Access Service’ a joint project of the Wicklow Rural Partnership and the Wicklow Uplands Council was established. The function of the project is to establish a network of access routes, on private lands in the Wicklow by means of voluntary agreements with private landowners. The project is supported financially by Comhairle na Tuaithe, Wicklow County Council, Wicklow Rural Partnership and Wicklow Uplands Council.

It is not considered appropriate to include a list of ‘recreational forests’ in this plan as the majority of forestry plantations are commercial enterprises foremost and such a designation may have commercial / operational impacts on such businesses e.g. may restrict the felling of commercially planted trees. However, the majority of forests are available for some amenity use and the plan promotes such use where possible.

#### ***Location of forestry***

Objective FTY1 is “*To facilitate afforestation in appropriate locations, in accordance with the Wicklow Indicative Forestry Strategy (2002) and in co-operation with Coillte and the Forest Service*”. Objective FTY3 requires that “*afforestation is undertaken in a manner that is consistent with the principle of ‘sustainable forest management’*” and in particular requires that afforestation “*does not have a negative visual impact on the scenic quality of the countryside, and is of an appropriate nature and scale to the surrounding area*”.

Many forestry plantations are exempt from requiring planning permission and are therefore outside the remit of the County Development Plan policies / objectives. It is hoped that the developers of all such sites will have regard to best practice and the County Strategy and County Development Plan.

#### ***Timber processing***

While the plan does not include a section on timber process, it is considered that the policies, and development standards objectives set out in Chapter 8, and specifically in Section 8.3.1, provide adequate controls and guidance for this type of commercial development.

### **Forestry Operators**

It is recommended that Objectives FTY1 and FTY2 to refer to all forestry operators as opposed to just Coillte.

### **Other issues**

- Objective FTY7 and Chapter 14 specifically addresses the issue of 'Bio-Energy' that is the use of energy derived from biomass, which includes wood products. However, the promotion of pulpwood markets and the issue of the Council investing in wood biomass fuelled heating systems in public buildings is not an issue for the County Development Plan, as it is a strategic land use document.
- The assessment / surveying and auditing of forestry as a resource is an issue that falls under the remit of the Department of Agriculture, Food and Forestry and is not an issue for a strategic land use plan.
- This plan has no role in providing financial incentives with regard to forestry or forestry products /projects.
- The use of Wicklow County Campus for forestry courses is not an issue for a strategic land use plan.
- The curtailment of the grey squirrel and deer is not an issue that comes specifically under the remit of WCC or the draft CDP.
- It is not considered necessary to amend Objective FTY7 to specifically include "wood chip, wood pellets and other products for renewable energy", as the term 'timber biomass' includes all wood derived products.

### **Manager's recommendation**

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**Amend the plan as follows:-**

#### **Chapter 8 'The Rural Economy'**

##### **Section 8.3.2 Forestry**

**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.

**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'.

**TOPIC 4: THE EXTRACTIVE INDUSTRY**

**Summary of issues raised**

80	Irish Concrete Federation	<ol style="list-style-type: none"><li>1. Existing issues arising from the Quarry Registration process (Section 261 of the Planning and Development Act) should be addressed in the plan.</li><li>2. The issue of adequate enforcement proceedings against unauthorised quarry developments should be given further emphasis in the plan. Through adequate objectives and follow through in the enforcement process, authorised quarry developments will remain in place allowing for more appropriate levies and road contributions being applied based on actual impacts rather than the collective impact on current unauthorised developments.</li><li>3. The objectives of the plan should recognise the higher than average demand for the extractive industry in Ireland.</li><li>4. The plan should have regard to relevant guidance under objective EX4 with specific reference being made to the DoEHLG guidance documents on the extractive industry i.e. the Quarry Planning Guidelines, the Guidelines for Environmental Management in the extractive sector, the Geological Heritage Guidelines for the Extractive Industry, the Archaeological Code of Practice and the new NPWS Guidance on Biodiversity.</li><li>5. It is proposed that all quarry applications should be required to include an Operational Scheme and restoration plans sympathetic to the general landscape.</li><li>6. Given the capital investment required to establish a quarry development the extent of planning permissions should be extended to reflect this initial cost.</li><li>7. The requirements set out for the extractive industry in Section 8.4 are welcomed however it is considered that reference should be made to Geological and Hydro-geological reporting for EIS as set out in the Institute of Geologists Ireland report which details a comprehensive template for robust reporting upon which the Planning Authority can confidently permit extraction below the water table.</li><li>8. While Section 13.2 (Waste Management) is welcomed in the plan, an addition to this section is requested in order to consider the development of waste recycling facilities in authorised quarry developments which would be in keeping with most regional WMP's nationwide and supportive of objective WM6.</li></ol>
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		<p>9. The benefits of energy efficient building practices are highlighted as a key to sustainable development including the use of concrete as a construction material. This submission is fully supportive of the objectives of Section 14.5.</p> <p>10. The submission welcomes the commitment in the plan to water conservation techniques but considers that Section 12.7.2 should be expanded to include consideration of commercial and industrial water conservation measures</p>
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### Manager's opinion

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1. The Quarry Registration process is a stand alone process, not related to the provisions of the County Development Plan. Therefore it is inappropriate for the plan to address any outstanding issues with regard to the implementation and enforcement of this legislation.
2. There is no need to have objectives for enforcement in the County Development Plan as the Planning Authority is obliged to enforce the Planning and Development Act, and the Council will take appropriate action against any transgressions brought to its attention.
3. The demand on quarries is heavily reliant on the level of activity in the building industry and given the strong fluctuation in building activity it is considered inappropriate to make reference in this long term strategic plan to the current and possible future levels of demand for aggregates
4. This chapter of the plan makes reference to 'Quarries and Ancillary Activities: Guidelines for Planning Authorities' (2004, DoEHLG) but does not refer to the other documents listed. It is considered appropriate that the plan should include reference to:
  - the EPA 'Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non Scheduled Minerals)' 2006
  - the 'Archaeological Code of Practice between the DoEHLG and the Irish Concrete Federation' 2009
  - the '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
5. These are provided for in the plan
6. Quarries are routinely granted for more than 5 years having regard to the nature of the activity. It is open to any applicant to request a particular timeframe and make their case. It is not considered necessary to specifically address this in the plan.
7. The plan set out some general guidance with regard to quarry applications and is not intended to be exhaustive or address in detail every issue. The issues of geology and

hydrogeology are required to be addressed in detail in the EIA carried out for new quarries.

8. Objective WM3 aims to facilitate new and existing waste recovery facilities but not specifically identify any type of sites or location for such use. This issue is more appropriately and fully addressed under Chapter 13 of the plan.
9. Noted
10. Section 12.7.2 (Chapter 12) addressed water conservation in residences but does not address water conservation in commercial / industrial sites. It is recommended that this be addressed through amendment to Section 12.7.2 (Chapter 12)

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#### Manager's recommendation

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Amend the plan as follows:

#### Chapter 8 'The Rural Economy'

##### Section 8.3.4 Extractive Industry

**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

#### Chapter 12 "Water Infrastructure"

##### Section 12.7.2 Water demand

- Water conservation measures shall be integrated into all new developments, through the provision of "dual flush" toilets ~~shall be required in all new developments,~~ in accordance with Part G of the Building Regulations (as amended 2008) and water re-use / recycling measures, in particular on commercial / industrial sites with high water usage.

**CHAPTER 9: 'TOURISM AND RECREATION'**

**TOPIC 1: TOURISM ZONING**

**Summary of issues raised**

21	bba architecture	<p>This submission relates to lands zoned for ITLR at Newtownmountkenedy (Norpark – ski slope site), Map 9.02.</p> <p>It is requested that the uses allowable in this zone be expanded to include playing pitches to allow for the relocation of the GAA club within the zone.</p> <p>It is also requested that part of the ITLR zone be given an alternative zoning allowing for nursing home / retirement development (please refer to Submission 28).</p>
24	David Brabazon	<p>This submission relates to an 80 hectare site located at Belmont, on the southern side of the Kilruddery Demesne. It is requested that this land be zoned for an ITLR complex.</p>
27	Walter Browne	<p>This submission requests that lands measuring 9.2 hectares comprising the disused Rockfield House Hotel be designated as tourism 'opportunity site'.</p>
36	Clogga Partnership	<p>This submission requests that the existing Clogga Bay Hotel and the surrounding delineated 3.6-hectare site be designated as an ITLR complex.</p>
38	Coillte	<p>It is requested that Avondale House and Forest Park be designated an ITLR complex.</p>
52	Stephen Deegan	<p>Russborough House and Tulfarris should be considered for ITLR designation.</p>
57	Denis Doyle	<p>This submission relates to lands to the rear of the existing "Grove Bar" at Willowgrove measuring 0.4ha. It is requested that this land be zoned part tourism part light industrial.</p>
60	Earl of Meath	<p>This submission relates to Kilruddery Demesne, Bray. It is requested that the plan include an objective to 'support the development of Kilruddery Demesne as a world class international tourist and activity destination within the framework provided for in the Bray Environs LAP 2009-2015'.</p>
102	Donal McEvoy	<p>This submission relates to a 1.6 hectare site at Boystown Golf Course. It is requested that the land be designated for residential development (4 units) with no restriction on ownership or occupancy.</p>

## **Manager's opinion**

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### **Existing Integrated Tourism / Leisure / Recreational Complexes**

#### ***Newtownmountkennedy (Ski Slope site)***

The draft plan is not overly prescriptive in the uses that can be provided in an ITLR zone, so long as those uses are clearly for the purposes of tourism, leisure or recreation with ancilliary accommodation / retail only, in an integrated framework. The plan therefore does not preclude the development of playing pitches on this site. Therefore no change to the plan is warranted.

### **New Integrated Tourism / Leisure / Recreational Complexes**

Objective ITLR1 recognises the existing and proposed complexes in the County with objectives ITLR2 and ITLR3 facilitating the development of further complexes subject to certain criteria. It is therefore not considered necessary to designate any new ITLR complexes at this time.

#### ***Kilruddery, Bray***

The lands in question are located within the Bray Environs LAP boundary but not designated for development and therefore to consider designation would result in conflicting plans. It is considered that this proposed development is best pursued through the next review of the Bray environs LAP. It is considered however that the proposed zoning may be considered to undermine the key objective for the Kilruddery demesne which is to foster development in and around the existing house and gardens. It should also be noted that the possibility of development at Belmont as investigated during the course of the Bray Environs LAP and through the Strategic Environmental Assessment process, development at this location was ruled out as being likely to result in significant adverse impacts on the environment.

The second request with regard to the inclusion of an objective in the County Development Plan regarding Kilruddery is considered superfluous given its inclusion in the Bray Environs LAP. There is nothing in the County Development Plan that contradicts or undermines the Kilruddery objectives contained in the Bray Environs Local Area Plan.

#### ***Clogga Bay Hotel***

This site is not considered suitable for an ITLR having regard to the inadequate road access available to the site and the lack of water and wastewater facilities which would result in potential pollution issues of coastal waters.

#### ***Avondale House, Russborough House and Tulfarris House***

It is not recommended that ITLR designation would be appropriate until such a time as a detailed evaluation of the possible impacts of significant development on the character and

setting of these historical and listed properties is carried out. However, the current 'lack' of ITLR designation has not precluded the granting of permission for tourism use on these sites to date. It is considered that any tourism proposals at these locations can be evaluated in light of the proposed objectives in the draft plan and ITLR designation is not necessary especially taking into account Objectives ITLR1 and 2.

***Rockfield Hotel***

The redevelopment of the existing structure for use as a hotel would be in general compliance with the following chapters, Chapter 9, Tourism, Objective TR7, and Chapter 18 Coastal Zone Management Cell 9, Brittas Bay, Objective CZ9 as set out in the draft County Development Plan. On this basis the designation of the lands as an opportunity site for redevelopment opportunity is considered superfluous.

***Grove Bar, Willowgrove***

These lands are within the Kilpedder/Willowgrove large village development boundary within which there are no specific zonings. It is not feasible or reasonable to have a detailed zoning plan for every settlement in the County. Given Kilpedder – Willowgrove's designation as a 'large village' and the proximity to an existing 'visitor' facility 'The Grove Bar' any tourism proposals can be considered in light of the policies and objectives set out in Chapter 9 'Tourism'. In this regard, it is not considered necessary to zone these lands.

***Boystown***

The lands in question are located in an unserviced rural area designated an Area of Outstanding Natural Beauty. The proliferation of housing in the area is impacting on the scenic amenities of the area and the provision of additional non-essential rural houses would further consolidate the erosion of the rural characteristic of the area. It is unclear how the provision of a low-density housing development without restriction on ownership or occupancy would benefit the development of tourism in the area as such the proposal would appear purely speculative rather than based on special planning criteria.

**Manager's recommendation**

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No change



**Topic 2: TOURISM OBJECTIVES**

**Summary of issues raised**

38	Coillte	<p>i. Objective TR5 – it is requested that this objective be expanded to specifically refer to Coillte's 15 outdoor recreational sites</p> <p>ii. It is requested that the plan include objectives to secure the tourism and recreation sectors as key economic drivers which will contribute to balanced economic development across the County; to ensure a focus on high quality tourism and recreation products and to improve tourism and recreation infrastructure.</p>
52	Stephen Deegan	Objective TTP3 is welcomed.
68	European Club	<p>i. The plan should highlight tourist sites in the County of international and national importance such as Mount Ussher, Powerscourt, Russborough, Wicklow Gaol, Druids Glen and the European Club. There should be general policy to protect these asset from adverse impacts</p> <p>ii. Due consideration needs to be given to the risk of overprovision of certain form of tourism development e.g. Golf courses, hotels etc as this can lead to degradation of the landscape, particularly when such facilities have to close due to lack of demand</p> <p>iii. The plan should include a tourism matrix stating clearly what uses are permissible in landscape zones. The 'urban' zones in the County should be clearly defined.</p> <p>iv. The wording of TA2 which states that hotels will be 'positively considered' should be changed 'open for consideration'</p> <p>v. Objective ITLR2 which allow for the possible development of further ITLR sites should be amended to include reference to the following:</p> <ul style="list-style-type: none"><li>- The need to avoid the cumulative adverse impacts of adjoining facilities</li><li>- The need to assess the hydro geological impacts of major tourism development, and</li><li>- That there should be no impact on AONB.</li></ul>

		<p>vi. Objective ITLR3 should state that such new developments should accord with objective TA4 and TA5 and should not impact on the preservations of AONB</p> <p>vii. Objective TTP7 should include the term 'with the agreement of landowners'</p>
85	Keep Ireland Open	<p>i. Objective TTP1 should include reference to green and geo-tourism</p> <p>ii. Objective TTP2 should include reference to "farmhouse accommodation"</p> <p>iii. Objective TTP3 - the wording "driving trails" should be deleted from this objective.</p>
147	Treasury Holdings	<p>This submission relates to the Roundwood Park Demesne tourism project, which was granted permission by WCC for an integrated tourism and recreational complex and which is on appeal to An Bord Pleanala.</p> <p>It is requested that</p> <p>i. The plan supports this project</p> <p>ii. Objectives relating to tourist and visitor housing at tourism sites should not be overly prescriptive by limiting length of stay or type of ownership.</p> <p>iii. Wording of Objective TA5 be amended as follows:-</p> <p>(a) All lands, including any on-site tourist facility shall <del>be held in single ownership</del> <b>under the management of a single Estate Company</b> (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</p> <p>(b) In the event that any unit is sold or leased, the owner/lessee shall enter a legal agreement with the Estate Company, <b>stipulating that the purchaser, lessee and any successors in title be, and remain, members of the Estate Company</b> and 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 (max 4 weeks) tourism use.</p>
153	Wicklow Uplands Council	Objective TA7 should include "campsites and bunkhouses".

## Manager's opinion

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### General

This is strategic land-use document that needs to set the strategies, objectives and development standards for a whole range of development types. Therefore it requires to be somewhat general and applicable to a range of tourism facilities. It is not therefore considered appropriate to highlight any one or type of tourism / recreation facility over another. All facilities and developments that add the County's tourism product are welcomed and encouraged by the plan, and it is not considered appropriate to restrict development in the interest of established sites. Each application for development will be considered on its merits, which as a matter of course will include consideration of landscape impacts (particularly in Areas of Outstanding Natural Beauty AONB), impacts on hydrogeology and the question of the need for the development given the scale and location of the site.

The landscape maps provided in the draft plan clearly show the landscape zones in the County, as well as the 'urban' zones.

### Objective TA2 / tourism matrix

The wording use in the draft plan 'to positively consider' new hotels (Objective TA2) is considered more appropriate than 'open for consideration' which actually means that something will *not normally* be considered but where it can be shown to not conflict with any other objectives of the plan may be permissible. It should be noted that Wicklow, unlike many other counties, did not experience a hotel building boom in the past ten years. The aim of the plan with regard to tourism is to be positive with regard to the vast majority of tourism projects, subject to normal planning controls, environmental protection, with some limited exception. Therefore it was determined that a 'matrix' was not considered necessary and in fact, the matrix included in the previous County Development Plan actually lead to conflict rather than positive direction.

### ITLR objectives

There is no necessity to add specific provision with regard to the protection of AONBs / environmental assets into ITLR 2/3 as this issue is already addressed in the general tourism objectives set out in Section 9.3.1 that apply to all forms of new tourism provision. With regard to making specific reference to TA4 and TA5 in the ITLR objectives, this is not considered necessary as development must comply with all of the provisions of the plan which are crafted to be mutually supporting.

With regard to Roundwood Park, the ITLR provisions of the plan would be supportive to such a development.

**Objective TA5**

The suggested re-wording is considered reasonable.

**Objective TTP1**

This objective supports eco-tourism – it is considered that this general term would include “green” and “geo-tourism”.

**TTP2**

This objective is addressing rural activities and products, not farm house accommodation which is already addressed under Section 9.3.2 ‘Accommodation’

**TTP3**

The purpose of the inclusion of "driving trails" in this objectives it is facilitate and promote linked tourism products / sites that generally required to be accessed by driving e.g. the Film Trail, the Lake Drive around Poulaphuca etc. It is not considered appropriate therefore to omit.

**TTP7**

It is considered that the proposed rewording of objective TTP7 has merits and a recommendation in line with the submission has been put forward.

**TA7**

Objectives TA7 refers to hostels and TA8 refers to campsites. Provision is made for both forms of accommodation and it is considered superfluous to add in ‘bunk houses’.

**Manager's recommendation**

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Amend **Chapter 9 Tourism** as follows:-

**Section 9.3.2 Accommodation**

- 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
- 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,
  - (c) 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
  - (d) 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.

#### **Section 9.3.6 Tourism & Recreation Themes & Products**

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.

**Topic 3: OTHER ISSUES**

**Summary of issues raised**

41	Kieran and Sharon Conlon	It is suggested that there would be closer consultation with the Enniskerry community to promote the village as a key location for tourism.
52	Stephen Deegan	It is suggested that Ballymore Eustace should be viewed as a gateway to the Wicklow Mountains as a tourism attraction with both Wicklow County Council and Kildare County Council working together to promote the potential for the tourism industry in the area. It is requested that particular attention is paid to the promotion of the River Liffey and tourism along the N81.
65	Enniskerry Forum	It is requested that there would be an overall action plan in place to encourage the development of new and existing walking, cycling and driving trails in line with objective TTP3.
71	Forest Friends Ireland	This submission is a document regarding the development of a sustainable eco-tourism community in the Glencree Valley area entailing local enterprise developing crafts, local transport, develop eco tours, walkways with access to lakes and rivers, environmental designations, etc. No specific requests are however made with regard to policies / objectives.
85	Keep Ireland Open	It is requested that the introduction to Section 9.1 include the names of the main mountain/hills, rivers, lakes and beaches. In addition it is suggested that there should be reference to archaeological sites, National Monuments & the Bray Head SAAO.
105	Tim Molyneux	This submission relates to the issue of tourism and the unexploited tourism potential that exists within the County and West Wicklow. It is requested that the County Development Plan should promote and encourage the future development of tourism within the County in a more proactive manner thereby facilitating the expansion of the existing tourist industry.
135	George Smullen	It is suggested that the County Development Plan contain an objective in relation to the Aviation industry/sector which would provide for maintenance and recreational

		opportunities within the county. (It appears that the submission is making reference to the Newcastle area as a base location for the air, sea and mountain rescue service).
153	Wicklow Uplands Council	<p>It is suggested that Wicklow County Council would support more extensive measures to encourage and assist tourism development in rural areas particularly. It is considered that the Draft Plan favours tourism facilities in urban areas rather than in rural areas.</p> <p>In relation to objectives TR3/4 in Section 9.3.1 in which there is a general requirement for tourist based developments to be located in towns and villages it is considered that there should be more focus on tourism developments in rural areas including on farms.</p>

#### Manager's opinion

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- This is a strategic land use plan that only has a role in those aspects of tourism development that have a land use element. The issue of consultation with community in Enniskerry with regard to promoting the town as a tourism location is outside the remit of this plan.
- The Wicklow County Development Plan has no role outside of the County and therefore cannot make any provision for tourism in Ballymore Eustace. The plan supports appropriate tourism activities in all parts of the County; however, it would be imprudent to specifically encourage development along the N81 and the Liffey given the strategic nature of the assets and the controls that are in place regarding development in proximity.
- It is not within the remit of a land use plan to 'develop' walking routes / trails, the plan can only set the framework within which they can be developed by the Local Authorities or other agents in the future
- The submission from Forest Friends is noted but it does not make any specific request with regard to the strategies, policies and objectives set out in the draft plan. The Glencree area is designated an AONB and there are many listed views / prospects / historical items in the vicinity. It is considered that suitable protection is afforded to the area and well as adequate scope for any appropriate development
- The inclusion of the names of the main mountain/hills, rivers, lakes as well as beaches and archaeological sites, National Monuments & the Bray Head SAAO, is not considered necessary in the introduction of the chapter. The current wording of the draft plans allows for the recognition of all of the tourism attractions and environmental assets in the County.
- It is agreed that the issue of aviation should be addressed in the plan. However, it is considered more appropriate to locate this in Chapter 11 'Transportation'

- The draft CDP aims to develop tourism across the County in a balanced and sustainable manner. Objective TR3 initially states to generally require tourism and recreation related developments to locate within existing towns and villages, however the importance of rural tourism is recognised and facilitated, particularly in objectives TR4, TR5, TR6, and TR7. However it is necessary that rural tourism developments are developed in a sustainable manner so as to protect against any detrimental impacts on the environment and local communities. The objectives within the Rural Economy chapter further facilitate the development of tourism and tourism related developments in the rural area.

### **Manager's recommendation**

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Amend **Chapter 11 'Roads & transportation'** as follows:-

#### **11.6 Ports, harbours, marinas and aviation**

The future development of the County's ports places increased demands on the existing transport network, in particular the road network, with the potential for large freight transport. The potential for the future expansion of Wicklow port is to be facilitated through the Wicklow Port Access Road. The potential for the development of a new port at Arklow Rock is also recognised with connections to the N11 and possibly the Dublin Outer Orbital Route increasing the potential for the development of this area. A road line will be reserved to facilitate the development of this proposed port.

The existing / future marinas at Bray, Greystones, Wicklow and Arklow also give rise to traffic demands on the County's roads, which is considered desirable to accommodate given the significant economic, tourism and recreational benefits accruing to the County from such developments.

Wicklow currently has a number of small aerodrome and air strips, whose function is principally recreation rather than transport. However, it is considered that there may be possibilities for the development of this sector, given the proximity of the County to the major population base of Dublin and the availability of coastal areas, which may be suitable for landing strips.

#### **Ports, Harbours & Marinas Objectives**

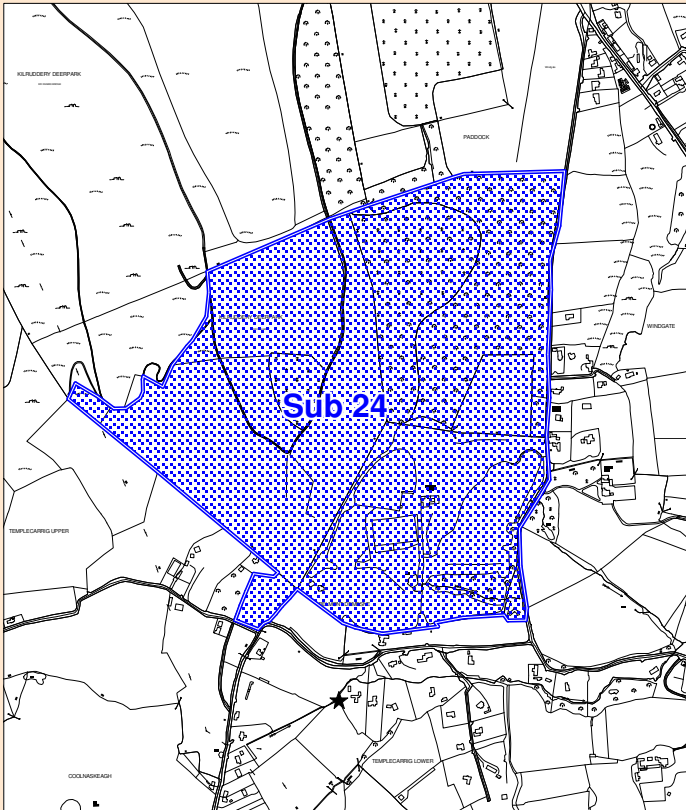
**PHM1** To promote and facilitate through appropriate transport planning and land-use zoning the expansion of port activities at Wicklow and Arklow. In particular, to provide for Port Access Roads at both locations.



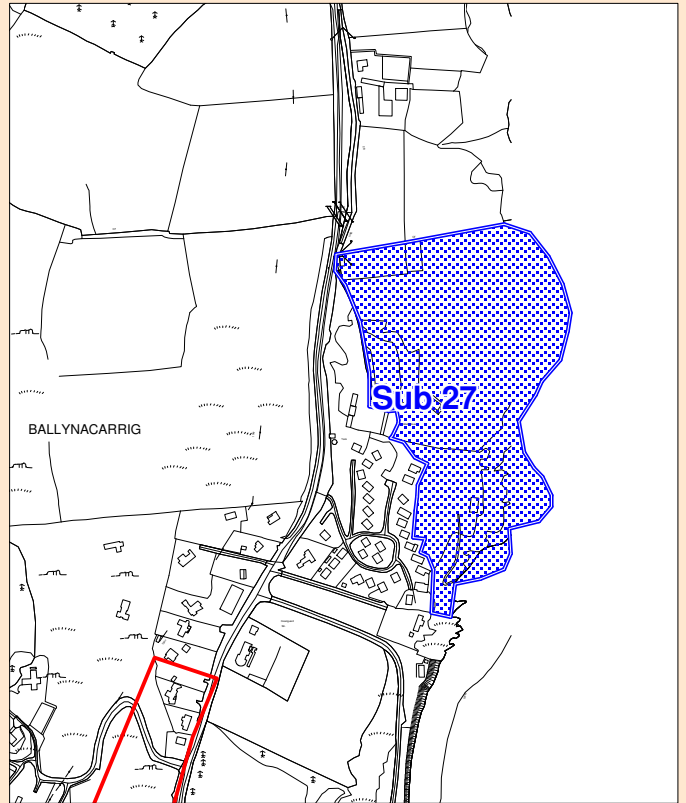
**PHM2** To promote and facilitate through appropriate transport planning and land-use zoning the expansion or development of recreational facilities and marinas at Bray, Greystones, Wicklow and Arklow harbours.

**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.

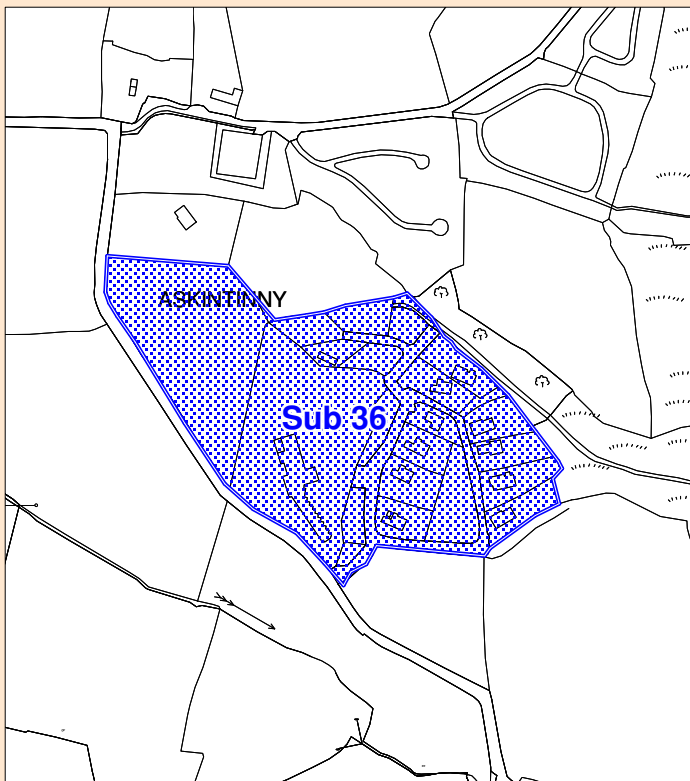
# Tourism related Zoning Submissions A



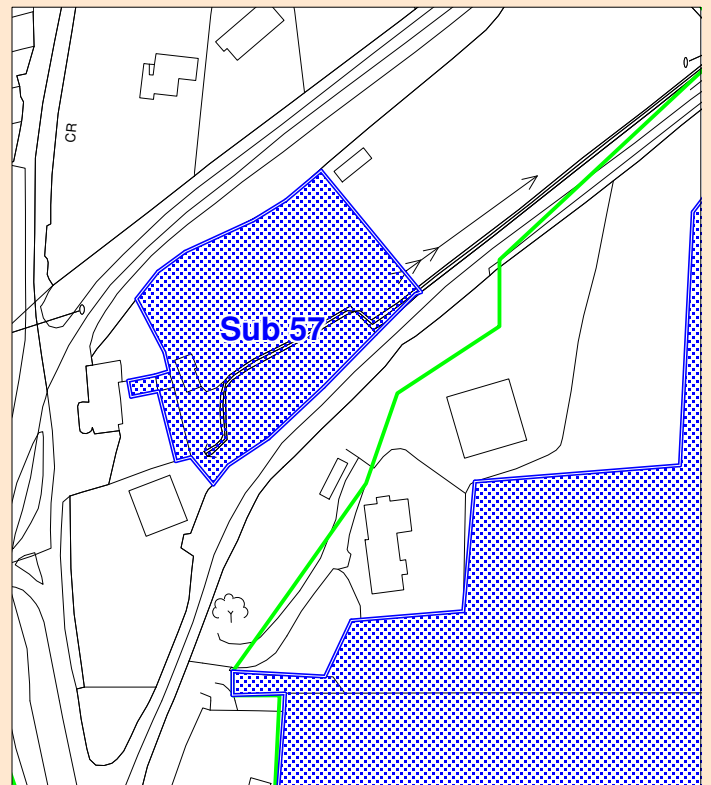
**Sub 24 - David Barbazon - Kilruddery Deerpark - Tourism**



**Sub 27 - Walter Brown (Tudor Home Ltd) - Brittas Bay - Tourism**



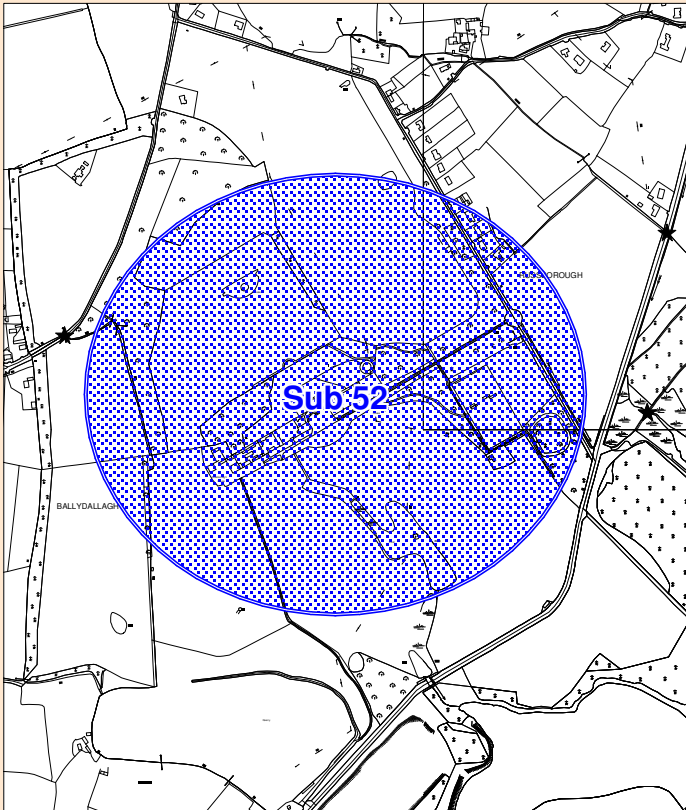
**Sub 36 Clogga Partnership - Clogga - Tourism**



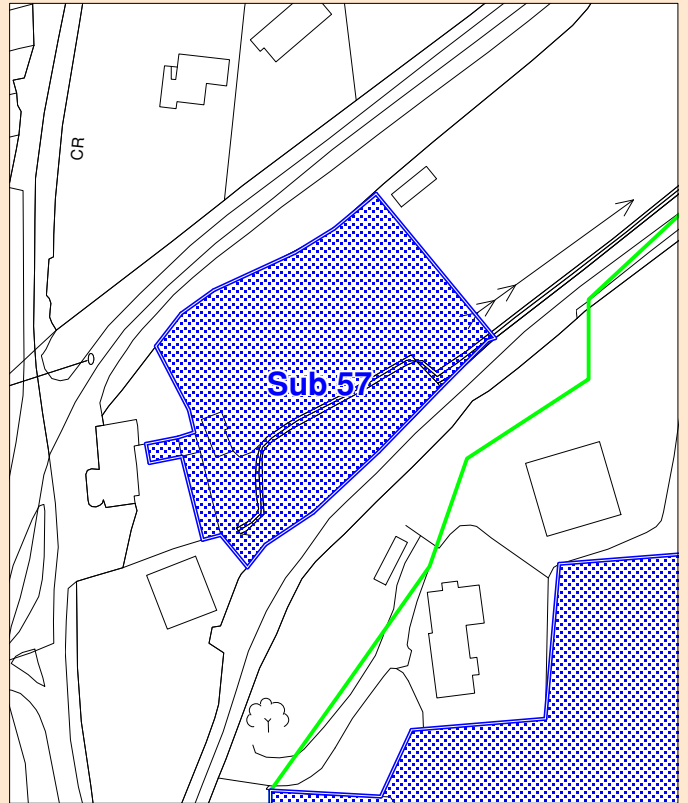
**Sub 57 Denis Doyle - Willowgrove - Tourism**



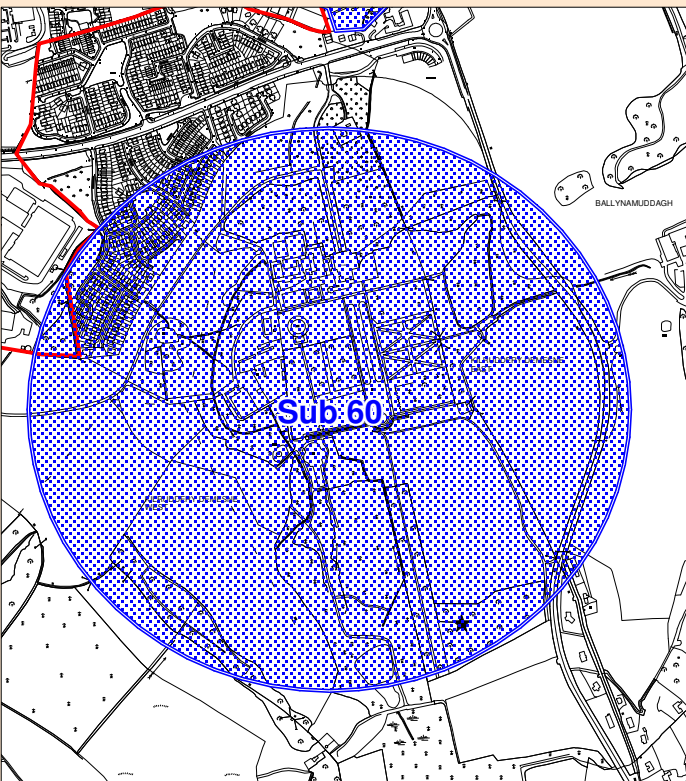
## Tourism related Zoning Submissions B



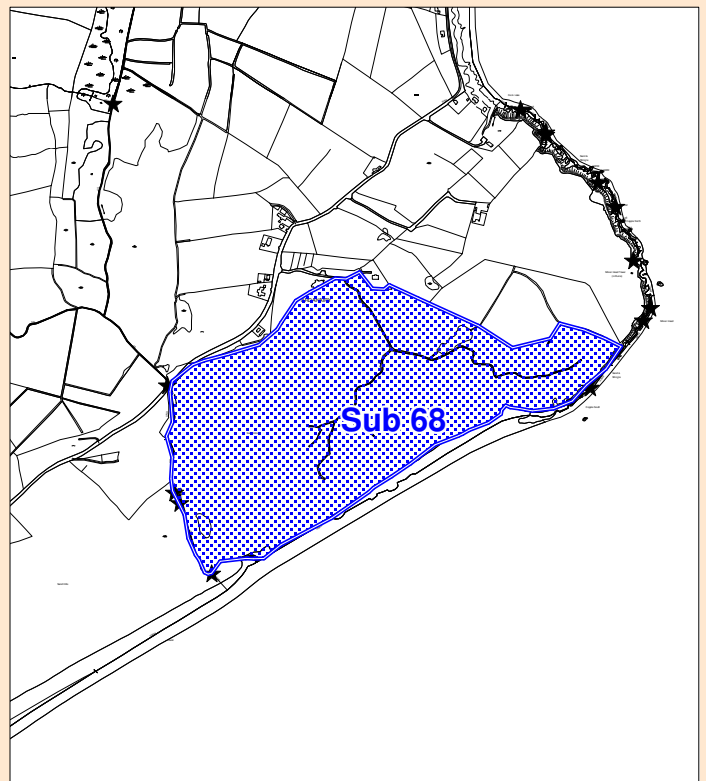
**Sub 52 - Russborough House - Tourism**



**Sub 57 - The Grove Bar, Willowgrove - Tourism**



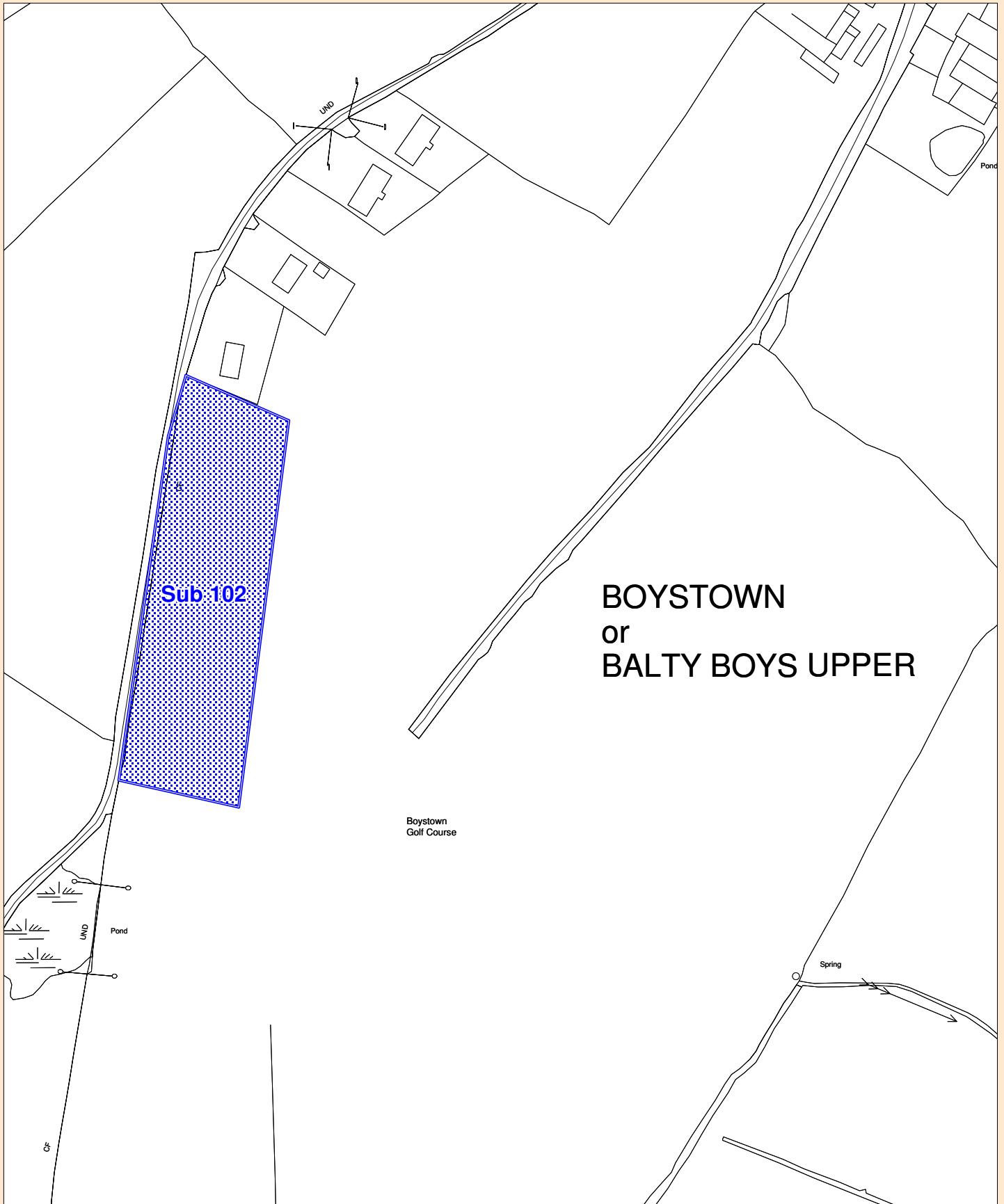
**Sub 60 - Kilruddery - Tourism**



**Sub 3 102 - Boystown Golf Club - Tourism**



## Tourism related Zoning Submissions C



Sub 102 - Boystown Golf Club - Tourism



Submissions Boundary Area

## CHAPTER 10 RETAIL

### Summary of issues raised

17	Aldi Stores Ltd	<p>i. Section 10.3.4 - Discount retailing should be allowed in Newtownmountkennedy and Rathdrum</p> <p>ii. Section 10.4.5 - The role that discount foodstores can play in anchoring neighbourhood centres should be recognised, as it is recognised in the Retail Planning Guidelines</p> <p>iii. Section 10.4.11 - The definition of 'discount retailing' should be amended to reflect the changing nature of this form of retailing to:  <i>"Discount food store generally comprise a single level, self service store normally of between 1,000sqm - 1,800sqm of gross floorspace selling a limited range of goods at competitive prices, often with adjacent car parking. Discount foodstores provide an alternative choice of retailing to certain sectors of the community. Their customer catchments and retail offer is different to mainstream superstores and supermarkets and their trade draw will be different"</i></p> <p>iv. The definition of 'suitably zoned lands' in Objective DF1 should be clarified</p> <p>v. The County Development Plan should identify residentially and industrially zoned lands as suitable locations for discount foodstores</p>
53	Delgany Community Council	<p>It is suggested that the retail strategy is appropriate and that it aims to maintain and enhance traditional town centres. In addition it is considered that out-of-town retail developments are inappropriate.</p>
97	Lidl Ireland GmbH	<p>i. Section 10.3.1 - Level 4 Neighbourhood Centres &amp; Small Towns - A distinction should be made between neighbourhood centres in sub County towns / small towns and neighbourhood centres in towns in the metropolitan area, such as Bray and that neighbourhood centres in such settlements should have the potential to accommodate a larger scale of retail floorspace provision. It is suggested that neighbourhood centres in metropolitan settlements should allow for a supermarket / discount foodstores of between 1,000sqm-2,500sqm</p> <p>ii. Section 10.4.5 - Objective NC1 is requested to be amended to allow for larger scale neighbourhood centre facilities in the metropolitan area</p> <p>iii. Section 10.4.11 - Requested that it is made clear that 1,500sqm is not a cap on the size of discount foodstores</p> <p>iv. Objective DF1 is requested to be amended to allow for discount retailing in the neighbourhood centres in the metropolitan area in Level 4</p>

		of the retail hierarchy
98	Lusra Teoranta	<p>i. It is requested that the new County Development Plan must be quite specific in describing the quantum, type and location of retail facilities at Marlton, which should seek to achieve a large District Centre of 20,000m2 (net) and additional non-retail services, as a phased development as the need arises.</p> <p>ii. It is requested that Marlton should be identified as a designated centre with a specific local objective, so that there is no doubt that development there is development plan led, as stated in the policies and specific objectives of the Wicklow County Development Plan.</p> <p>iii. It is requested that point 3 of the strategy for retail development in Wicklow should be amended as follows:- To direct new retail development in the first instance into the town centre and in particular to derelict or under-utilised sites, where suitable and available.</p>
144	Tesco Ireland	<p>i. Section 10.1 - It is requested that the text be changed as follows: Section A of this plan has set out a number of 'Strategic Goals' for the County during the plan period. The crafting and implementation of a robust Retail Strategy has the potential to positively contribute to the attainment of these goals, in particular:</p> <ul style="list-style-type: none"> <li>- enhancement of the range of services available in the designated growth towns in the County;</li> <li>- reduction in demand for travel, by providing retail at suitable locations where it is accessible by all in society and in particular, integrated with growth areas and public transport investment;</li> <li>- <b><i>Enhancement and expansion of established retail locations that service the convenience shopping ion the County</i></b></li> <li>- protection of the County's infrastructure, in particular, the carrying capacity of regional and major roads and interchanges, by locating retail in existing town and district centres, served and accessed by the local road network;</li> <li>- enhancement of employment and enterprise opportunities.</li> </ul> <p>ii. Section 10.3.1</p> <p>Bray: The list of neighbourhood centres in Bray includes the Vevay. However, given the scale and nature of the retail offer at this location, this designation is incorrect</p> <p>Wicklow: The Tesco site in Wicklow Town does not appear to have particular retail designation</p> <p>Kilcoole: Given the role currently provided by Tesco in Kilcoole, it should</p>

		<p>be designated a district centre</p> <p>The neighbourhood centre designation given to some of these Tesco stores does not reflect their role in providing more than top up type day to day shopping and they operate as district level centre providing weekly shopping trips.</p> <p>iii. Suggested that an asterix is added to Bray, Wicklow and Greystones in Table 10.2 with the following footnote</p> <p><i>*The Council also notes that there are established retail destinations in Bray, Wicklow and Greystones. A number of large foodstores located in these towns have operated for more than 25 years. They are now operated by Tesco Ireland. Each of these stores is located in edge of centre locations and serves long established catchment areas. The sites are not specifically recognised in the above retail hierarchy but are included within Level 2 Bray and Wicklow and Level 3 Greystones respectively. The Council's policy in respect of these lands is to encourage the enhancement of these established retail locations as they are presently dated facilities. Redevelopment, extension and enhancement of these centres would be supported by the Council as they are located in established urban areas on brownfield sites; have long established catchment areas and function as District Centres.</i></p> <p>iv. Section 10.3.1</p> <p>Table 10.3 – the following changes requested:</p> <ul style="list-style-type: none"> <li>– change 'superstore' to 'superstore / hypermarket'</li> <li>– change Heading 'Level 2 Major &amp; County Town Centres'</li> </ul> <p>Heading 'Level 2 Major &amp; County Town Centres'</p> <p>These centres will have a full range of all types of retail services from newsagents to specialist shops and boutiques, department stores, foodstores of all types <i>in various locations around the towns</i>, shopping centres and high level of mixed uses including the arts and culture to create a vibrant, living place. Such centres should be well connected and served by high quality public transport, particularly with the metropolitan area. For well-established centres with population catchments in excess of 60,000 people it would be expected that the volume of lettable retail floorspace would exceed 40,000sqm.</p> <p>Heading 'Level 4 Neighbourhood Centres &amp; Small Towns'</p> <p>While the GDA Retail Strategy generally considers that these centres will normally provide for one supermarket or discount foodstore ranging in</p>
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		<p>size from 1,000-2,500 sqm with a limited range of supporting shops (one or two low range clothes shops with grocery, chemist etc.) and retail services (hairdressers, dry cleaners, DVD rental) cafes and possibly other services such as post offices or community facilities or health clinics, it is considered necessary to make a distinction in Wicklow between the type and quantum of retail envisaged in neighbourhood centres in the larger settlements and that envisaged for small towns. Neighbourhood centres (i.e. locations providing retail and other community services outside or the core town centre area) generally only occur in the larger settlements of the County (Bray, Wicklow, Arklow and Greystones). Such centres would usually include a medium sized convenience shopping outlet (up to 500sqm) and a number of smaller comparison and non retail services premises e.g. Vevay in Bray and Charlesland in Greystones.</p> <p><b><i>Tesco Bray, Wicklow and Greystones have a different role. They operate as large foodstores for bulk weekly food shopping. They have associated retail and services units and a catchment area of circa 15-20 minutes drive time. Thus they are more readily identifiable as district centres. District centres usually have a superstore or hypermarket and operate to service mainly convenience shopping needs.</i></b></p> <p>The scale of the convenience outlet will be dictated by the overall size of the town, the catchment of the neighbourhood centre and its distance to the town core.</p> <p>In contrast, the retail provision in small towns would be expected to be more extensive, including one supermarket / two medium sized convenience stores (up to 1,000sqm aggregate) and perhaps 10-20 smaller shops and would not be considered suitable for discount foodstores.</p> <p>v. Section 10.3.4 – request text added / deleted as follows:-</p> <p>Convenience allocation - Convenience floorspace by its nature should be provided locally to meet the needs of communities. Provision of new convenience in a Council area may in particular circumstances exceed the figures projected by the GDA Strategy to reflect the needs of localised larger developments and/or qualitative revitalisation (incorporating the suitable and adequate provision of public facilities); whereas in other areas of population decline, such growth is often counterbalanced by either redevelopment of older declining centres to other uses or through reduced trading levels and changes of uses of units from retail to other services. Therefore, in the interests of proper sustainable planning, <b>due regard</b> shall be given to the estimates of need for convenience for each</p>
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		<p>County; while the provision of new convenience shopping shall also be promoted and encouraged in areas of significant population growth, should that occur, or where there is a locally identified gap in provision and competition.</p> <p>Applications should detail, if justifiable, that their scheme(s) will meet local demand <del>without damaging existing traders</del>, and how it will promote more sustainable travel modes and shorter distances of travel.</p> <p>Comparison allocation - In relation to comparison goods, reflecting the population growth expected and forecast for the GDA there is a material need for additional retail floorspace to be developed within both the Dublin and Mid East Regions. Provision of all future comparison retail floorspace should take place in accordance with the policy recommendations contained in the GDA Strategy so that new retail will support both the principles of sustainability and the settlement strategy of the Regional Planning Guidelines, as incorporated into the City, Town and County Developments Plans of the GDA. The figures presented are represented as a range - dependent on the volume (if any) of retail warehousing built during the period of the Strategy. Based on current predictions showing reduced demand for new retail warehouses over the coming years, it is expected that the actual figure will be within the higher end of the range shown.</p> <p>In this context, the County Wicklow Retail Strategy allocates the calculated floorspace need from the GDA Strategy only to settlements in Levels 2 and 3 as levels below this are considered to only meet local shopping needs, the demand for which will be determined at a local level. Allocation is derived from both the data provided in the GDA Strategy and the County growth objectives for the various settlements, as set out in the County settlement strategy.</p> <p>In order to ensure that indicative floorspace need is not overly prescriptive, Table 10.4 below sets out a range of floorspace need for Levels 2 and 3. <del>It is not expected that retail provision in all settlements will reach the upper end of the range and in fact, such a scenario would result in significant overprovision in the County.</del> However, due to infrastructural constraints some settlements may not reach even the lower end of the range, and therefore it is considered appropriate to allow for the possibility of significant additional retail in the larger towns to make up for shortfall elsewhere.</p> <p>vi. Section 10.3.4 - Heading (a) Bray - request text added / deleted as follows:</p>
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		<p>The GDA Retail Strategy estimates that Bray has a comparison goods floor space requirement of c. 14,000sqm (assuming all non-bulky goods) or c. 10,000sqm (assuming all bulky goods). This County Strategy allows for growth in comparison space of between 25,000-35,000sqm. While this range is above the need identified in the GDA Strategy, Bray is better positioned to expand its comparison retail offer than a number of settlements lower down in the hierarchy and is the major town of the County and therefore it is considered appropriate to allow for substantial growth. Since the survey date (September 2007), approximately 26,000sqm of comparison floor space has been constructed or is awaiting commencement / under construction. Assuming all permitted developments proceed, there will be limited further need for significant comparison retail expansion in Bray up to 2016, other than in the planned expansion area of Fassaroe. It should be noted that c. 95% of this 26,000sqm is accounted for by one development – the Pizzaro development on the former Bray Golf Club lands (which has been granted by Bray TC but is currently on appeal to An Bord Pleanala). <b><i>Depending on the outcome of this appeal the retail strategy will be reviewed where the development is only partially granted permission or refused by An Bord Pleanala. In any event, the Council will encourage the redevelopment and enhancement of established retail destinations in other parts of the town.</i></b></p> <p>The GDA Retail Strategy estimates that Bray has a convenience goods floor space requirement of c. 3,500sqm and the County Strategy allows for growth in the range 5,000- 7,500sqm. Since the survey date, approximately 15,000sqm of convenience floor space has been granted or constructed (assuming up to 8,000sqm (25%) of the permitted Pizzaro development is devoted to convenience use). Assuming all permitted developments proceed, there will be no further need for significant convenience retail expansion in Bray up to 2016 and it would in fact appear that significant over provision has already been allowed. It must however be borne in mind that (a) convenience shopping is generally 'local' in the sense that shoppers tend to favour the closest location for such shopping (subject to market choice in any area), (b) the Golf Club development again accounts for a large proportion of this space and this site is ideally located in the heart of the town and therefore its development would not undermine the overall goal of improved sustainability and (c) the expansion area of Fassaroe will adequate local convenience facilities and (d) a number of assumption have been made about the comparison-convenience breakdown in arriving at this figure.</p>
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		<p>The area of Fassaroe in west Bray is planned to be developed as an expansion of Bray and the Bray Environs LAP indicates a target of c. 6,000 permanent residents and up to 16,000 employees in the area by 2016. This will necessitate the provision of retail services that provide for the needs of the residents and employees, while not undermining the role of Bray town centre as the principle shopping area in this expanded settlement. In this regard, the Bray Environs LAP gives an indicative figure for retail floorspace of 4,000sqm, to be divided equally between convenience and comparison use.</p> <p>Therefore the strategy for Bray is:</p> <ol style="list-style-type: none"><li>1. To promote and encourage major enhancement of expansion of retail floorspace and town centre activities in Bray to sustain its competitiveness as a Major Town Centre and leisure destination in the GDA;</li><li>2. In the event of the delivery of the Pizarro development within the strategy period, no further significant retail permission will be granted other than (i) conversion of non-retail premises in the core area to retail use, (ii) renovation and expansion of existing retail premises in the core retail area, (iii) redevelopment of derelict or brownfield sites in the core and (iv) replacement <i>and enhancement</i> of existing <i>retail</i> facilities within the town;</li><li>3. Expansion of the retail warehousing sector, either at existing retail warehousing or industrial estate locations, or on new sites to be determined through the local area or town plan process;</li><li>4. Rejuvenation of the seafront area through the expansion of retail and non-retail services, particularly targeted at the visitor market and tourism products;</li><li>5. To allow for the enhancement of existing neighbourhood retail facilities;</li><li>6. To provide for appropriately scaled retail provision in the expansion area of Fassaroe, which provides for the immediate needs of residents and employees of the area but does not undermine the role of Bray town centre as the principal shopping destination in the settlement.</li></ol>
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## **Manager's opinion**

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### **1. Discount retailing**

- Discount retailing is permitted in Newtownmountkennedy and Rathdrum; Section 10.3.4 simply analyses that their provision is not necessary in these towns having regard to the existing level of retail provision and the catchment served. As stated in DF1, these stores are allowed in Level 2 and 3 settlements, which include both of these towns.
- It is not necessary to amend Section 10.4.5, as it is obvious that many uses can anchor a neighbourhood centre, and there is no need to isolate one of these for mention.
- It is considered that the definition of Discount Foodstores is adequate; the definition offered in the submission reads more as a promotion for justification of this form of retailing and is not relevant in a strategic plan.
- Designating that industrially and residentially zoned lands are suitable for Discount Foodstores would undermine the entire basis of land use zoning. The suitably zoned lands referred to in the plan obviously refer to Town Centre and other commercial zonings; these vary in nomenclature between the various town plans, and there is no need to describe every possible zoning in each town in detail in this strategic plan.
- Neighbourhood centres are defined in policy NC1, wherein a 'cap' of 500sqm is indicated. If a Discount Store is of that order of magnitude it will be allowed. However, it is accepted that the general quantum of 500m<sup>2</sup> is not applicable at every site, and a recommendation to this effect will be proposed.
- The 1,500m<sup>2</sup> is not a cap. It is clearly stated in the definition that this is the upper end of the normal range of these stores.

### **2. Wicklow & Marlton**

- The Marlton area has a specific designation in that it has its own Local Area Plan, and thus development there is development plan led by its own Local Area Plan. That plan designates the District Centre as being 10,000m<sup>2</sup>, as do the Retail Planning Guidelines (DoEHLG 2005).
- There is no need to amend point three of the strategy for Wicklow town, as it is always taken into consideration that such derelict and underutilised sites must be suitable and available when assessing applications for planning permission.

### **3. Tesco submission**

The final submission is from Tesco is very detailed and suggests many changes to the strategy. The general aim appears to be to enable Tesco sites to redevelop up to Hypermarket/Superstore level. While no definition is offered, it is presumed that they wish to be able to develop all their sites to the standard, size, and offer of Clare Hall in North Dublin that has a Tesco floor area of 5,500m<sup>2</sup>, and a further floor area of 2,500m<sup>2</sup> of other shops.

The overall strategy in this plan is based on the Retail Planning Guidelines (DoEHLG 2005), and the key element of these Guidelines is the sequential approach of first developing the town centre, then edge of centre sites can be considered, and only if none of these are available should other sites be considered. As stated in their submission, their stores in Bray, Greystones, and Wicklow were constructed over 25 years ago, and do need to be refreshed. Of these only the Wicklow store is in the core retail area of the town. The Bray and Greystones are neither in the core area or edge of centre. The principal aim of the sequential system is to consolidate the town centres to prevent blight in what are the showpieces of towns, and to make shopping as accessible as possible to all forms of transport and walking. To allow untrammelled expansion of other sites on the basis of historic consent to a supermarket in past times is the antithesis of planning, and would completely undermine the Government retail planning guidelines.

This submission has however, raised the anomaly that these stores are more than neighbourhood centres, in that customers drive several kilometres to them. On the other hand they are not district centres which are defined as being up to 10,000m<sup>2</sup> in size, in the manner of Clare Hall as referred to above. This stems from the Retail Planning Strategy for the Greater Dublin Area which proposed a hierarchy to fit all 7 Local Authorities in the Greater Dublin Area. There is clearly a need for an intermediate category, but it is considered unwise to depart from the designations and definitions in the Retail Planning Strategy for the Greater Dublin Area. An amendment is suggested to address this weakness. This would recognise the current planning status of these stores and other sites. The current planning status does allow these sites to enhance their properties, but this must be on the basis of improving the quality of the stores, which while it might entail a larger floor area for the comfort of their customers, it shouldn't significantly increase the floor sales area. However, this would not allow for the redevelopment of such stores to quasi department stores, directly competing with the comparison shopping role of the town centres.

## **Manager's recommendation**

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**Amend Chapter 10 'Retail' as follows:**

### **AMENDMENT 1 SECTION 10.3 RETAIL STRATEGY FOR COUNTY WICKLOW**

In accordance with the Retail Planning Guidelines, the retail strategy for Wicklow will include the following:-

- Confirmation of the retail hierarchy, the role of centres and the size of the main town centres;
- Definition in the development plan of the boundaries of the core shopping area of town centres **in Levels 1-3 of the hierarchy**;
- A broad assessment of the requirement for additional retail floorspace;
- Strategic guidance on the location and scale of retail development;
- Preparation of policies and action initiatives to encourage the improvement of town centres;
- Identification of criteria for the assessment of retail developments.

Given the considerable research and analysis carried out for the GDA Regional Retail Strategy and the intention that the retail strategy for County Wicklow will be consistent with the Regional Retail Strategy, new local research has not been undertaken into existing retail floorspace, shopping patterns, expenditure estimates, turnover ratios etc. Instead quantitative analysis will generally be based on the findings of the research carried out for the Regional Retail Strategy. **The County Strategy is also generally consistent with the hierarchy adopted in the Regional Strategy. However, as that hierarchy was selected to be generally applicable across the entire Greater Dublin Area, it does not precisely cover all circumstances that arise in County Wicklow. This is particularly so in the sub core centres within Bray, Greystones, and Wicklow, and the County Strategy will include adjustments and flexibility to cater for these characteristics.**

### 10.3.2 Retail hierarchy & the role of centres

#### Retail hierarchy

The retail hierarchy for County Wicklow is set out in Table 10.2. This hierarchy is drawn from both the GDA Retail Strategy and the County settlement strategy.

**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	<b>Tier 1 Towns serving a wide district</b> Arklow, Blessington, Baltinglass <b>Tier 2 Towns serving the immediate district</b> Newtownmountkennedy, Rathdrum
LEVEL 4	NEIGHBOURHOOD CENTRES	LOCAL CENTRES – SMALL TOWNS
	<b>Bray Area</b> Boghall Road / Ballywaltrim, Vevay, Dargle Rd, Dublin Road / Little Bray, Albert Road & Walk, Fassaroe, <b>Southern Cross Road</b> <b>Greystones Area</b> 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, Ballinaclash, Coolboy, Glenealy, Hollywood, Johnstown / Thomastown, Kilpedder / Willowgrove, Kiltegan, Knockananna, Laragh – Glendalough, Manor Kilbride, Redcross, Stratford

## The role of centres

Table 10.3 below outlines the retail formats expected in each level of the hierarchy, which gives guidance on the scale and levels of retail provision within each level.

**Table 10.3**                      **Retail formats in hierarchy levels**

	HIGHER ORDER COMPARIS ON	MIDDLE ORDER COMPARISO N	LOWER ORDER COMPARISO N	SUPER- STORE	SUPER- MARKET
METROPOLIT AN CENTRE	√	√	√	√	√
MAJOR TOWN CENTRES & COUNTY TOWN CENTRES	√	√	√	√	√
TOWN & SUB COUNTY TOWN CENTRES		√	√	√	√
LOCAL CENTRES – SMALL TOWNS & VILLAGES			√		√

### Level 2 Major & County Town Centres

These centres will have a full range of all types of retail services from newsagents to specialist shops and boutiques, department stores, foodstores of all types, shopping centres and high level of mixed uses including the arts and culture to create a vibrant, living place. Such centres should be well connected and served by high quality public transport, particularly with the metropolitan area. For well-established centres with population catchments in excess of 60,000 people it would be expected that the volume of lettable retail floorspace would exceed 40,000sqm.



### **Level 3            Town / District and Sub County Town Centres**

These centres will vary both in the scale of provision and the size of catchment, due to proximity to a Major Town / County Town centre. Generally where the centre has a large catchment (e.g. market town in a rural area) and is not close to a larger centre, there will be a good range of comparison shopping though no large department stores or centres, with a mix of retail types benefiting from lower rents away from larger urban sites, leisure & cultural facilities and a range of cafes and restaurants. At least one supermarket and smaller scale department store are required to meet local needs. It would be expected that financial and other services (banks and building societies) would be located alongside other retail services creating an active and busy centre. They should have high quality access from public transport where the centres are within the built up area; and also strong links to the built fabric so that walking and cycling to the centre from the immediate catchment is an attractive option. Where the centre is close to an existing major centre (as is the case with Greystones), the scale of retail and mixed provision is lower, with the town / centre range of shops meeting more basic day to day needs and only small scale range of comparison units trading. Such towns / centres would generally range in size from 10-25,000sqm of lettable retail space catering for a population of 10,000- 40,000.

This level is broken into two tiers for the purpose of this strategy, as the five towns in this level are not uniform in their size or function, but yet all are appropriately located in Level 3. Arklow, Blessington and Baltinglass, while being very different in size, are all similar in the sense that they serve a wide catchment and are sufficiently distant from major or county town so as to make them the principle shopping destination in their areas. **Arklow in particular has traditionally served as a market town for a wide area, and this traditional status has been reinforced by the development of the Bridgewater centre.** These towns are somewhat different from Rathdrum and Newtownmountkennedy, which are both within reasonable distance of the County town and which serve more localised catchments, but due to their planned growth, require a high level of retail provision.

### **Level 4            Neighbourhood Centres & Small Towns**

While the GDA Retail Strategy generally considers that these centres will normally provide for one supermarket or discount foodstore ranging in size from 1,000-2,500 sqm with a limited range of supporting shops (one or two low range clothes shops with grocery, chemist etc.) and retail services (hairdressers, dry cleaners, DVD rental) cafes and possibly other services such as post offices or community facilities or health clinics, it is considered necessary to make a distinction in Wicklow between the type and quantum of retail envisaged in neighbourhood centres in the larger settlements and that envisaged for small towns.

Neighbourhood centres (i.e. locations providing retail and other community services outside of the core town centre area) generally only occur in the larger settlements of the County (Bray, Wicklow, Arklow and Greystones). Such centres would usually include a medium sized convenience shopping outlet (~~up to~~ **generally** 500sqm) and a number of smaller comparison

and non-retail services premises. However, a simple floor area rule cannot be simply applied. Firstly, what are designated as Neighbourhood Centres in Greystones and Bray include established full scale supermarkets at Bellevue Road and Vevay Road respectively. In addition there are smaller supermarkets at Blacklion and Charlesland in the 800m<sup>2</sup> to 1,200m<sup>2</sup> range. The Bray Town Development Plan has designated land for a 2,500m<sup>2</sup> supermarket at the Southern Cross Route in its last two plans, and planning permission has been granted for this as well as a discount store at this site. So while such sites seem larger than neighbourhood centres, they do not fit into the definition of District Centres (the next category in the hierarchy) which are defined in the Retail Planning Guidelines as 10,000m<sup>2</sup> or 20,000m<sup>2</sup> in the Dublin Metropolitan Area. So in a limited number of sub town core sites in Bray, Greystones, and Wicklow/Rathnew (particularly in Rathnew), larger foodstores will be permitted, based on their historic use, and the need to service considerable tranches of new housing ~~e.g. Vevay in Bray and Charlesland in Greystones~~. The scale of the convenience outlet will be dictated by the overall size of the town, the catchment of the neighbourhood centre and its distance to the town core.

In contrast, the retail provision in small towns would be expected to be more extensive, including one supermarket / two medium sized convenience stores (up to 1,000sqm aggregate) and perhaps 10-20 smaller shops and would not generally be considered suitable for discount foodstores.

#### **Level 5            Corner Shops/Small Villages**

These shops meet the basic day to day needs of surrounding residents, whether as rural foci points close to other community facilities such as the local primary schools, post office and GAA club or as a terrace of shops within a suburb. Such centres will normally serve only an immediate catchment. Expected are one or two small convenience stores, newsagents, and potentially other tertiary services such as butcher/vegetable shops with a public house, hairdressers and other similar basic retail services; with the retail element in total ranging approximately from 500 - 1,500sqm of lettable space.

#### **AMENDMENT 2            SECTION 10.3.4**

Convenience allocation - Convenience floorspace by its nature should be provided locally to meet the needs of communities. Provision of new convenience in a Council area may in particular circumstances exceed the figures projected by the GDA Strategy to reflect the needs of localised larger developments and/or qualitative revitalisation (incorporating the suitable and adequate provision of public facilities); whereas in other areas of population decline, such growth is often counterbalanced by either redevelopment of older declining centres to other uses or through reduced trading levels and changes of uses of units from retail to other services. Therefore, in the interests of proper sustainable planning, *due regard*

shall be given to the estimates of need for convenience for each County; while the provision of new convenience shopping shall also be promoted and encouraged in areas of significant population growth, should that occur, or where there is a locally identified gap in provision and competition. Applications should detail, if justifiable, that their scheme(s) will meet local demand without damaging existing traders, and how it will promote more sustainable travel modes and shorter distances of travel.

Comparison allocation - In relation to comparison goods, reflecting the population growth expected and forecast for the GDA there is a material need for additional retail floorspace to be developed within both the Dublin and Mid East Regions. Provision of all future comparison retail floorspace should take place in accordance with the policy recommendations contained in the GDA Strategy so that new retail will support both the principles of sustainability and the settlement strategy of the Regional Planning Guidelines, as incorporated into the City, Town and County Developments Plans of the GDA. The figures presented are represented as a range - dependent on the volume (if any) of retail warehousing built during the period of the Strategy. Based on current predictions showing reduced demand for new retail warehouses over the coming years, it is expected that the actual figure will be within the higher end of the range shown.

In this context, the County Wicklow Retail Strategy allocates the calculated floorspace need from the GDA Strategy only to settlements in Levels 2 and 3 as levels below this are considered to only meet local shopping needs, the demand for which will be determined at a local level. Allocation is derived from both the data provided in the GDA Strategy and the County growth objectives for the various settlements, as set out in the County settlement strategy. In order to ensure that indicative floorspace need is not overly prescriptive, Table 10.4 below sets out a range of floorspace need for Levels 2 and 3. It is not expected that retail provision in all settlements will reach the upper end of the range and in fact, such a scenario would result in significant overprovision in the County. However, due to infrastructural constraints some settlements may not reach even the lower end of the range, and therefore it is considered appropriate to allow for the possibility of significant additional retail in the larger towns to make up for shortfall elsewhere.

Overall, the key planning objective of the Wicklow Strategy is to provide for adequate levels of new retail floorspace, without compromising the established retail core to the extent that such areas become blighted and degraded, devaluing not only the properties in these areas, but also the whole Main Street community function, and leaving the public purse to underwrite future regeneration. While this is the foremost aim, planning policy cannot be allowed to stifle innovation and competition. It is acknowledged that most innovation and competition is driven from the convenience sector. The consequences of blight in convenience properties are not as intractable as in comparison, as such sites are often outside the central core, and are generally large enough in their own right to be able to be

redeveloped for other uses. Accordingly, the allocation figures for convenience floorspace will be interpreted in a manner to allow for adequate competition and innovation.

**AMENDMENT 3 SECTION 10.3.4 PART (C) GREYSTONES**

**Greystones**

This strategy allocates Greystones 7,000-10,000sqm growth on comparison floor space and 2,000-2,500sqm of convenience floorspace. Since the survey date, approximately 3,000sqm of new retail space has been constructed or is awaiting commencement / under construction. It is estimated that c. 1,000sqm of this floorspace may be devoted to convenience use and the remainder to comparison usage. Therefore there is only a need for a further c. 1,500sqm convenience floorspace and 8,000sqm comparison floorspace up to 2016.

While there is a site zoned in Charlesland for a district retail centre of up to 20,000sqm (net) retail floorspace and 16,000sqm (net) retail warehousing, an application for development of this scale in 2007 was rejected by An Bord Pleanála on the grounds of

- e) the out of centre location, distant from the core retail area
- f) the potential adverse impact on the vitality and viability of the existing town centre,
- g) the scale of the retail floor space would be excessive to the designation of Greystones as Level 3 town centre, to serve mainly local needs and would conflict with Retail Hierarchy for the Greater Dublin Area as set out in the Retail Strategy for the Greater Dublin Area 2008-2016
- h) the scale of the development would undermine the retail hierarchy and the designated role of Bray and Wicklow as Level 2 town centres.

In light of the above, the strategy for Greystones is:

- 4. To promote and encourage enhancement of retail floorspace and town centre activities in Greystones to enhance its role and importance as a Level 3 Town Centre in the GDA in accordance with the allocation set out in this strategy;
- 5. To direct larger scale new retail development into the identified core area and failing suitable sites being available, to edge of centre sites and identified village centres.
- 6. While there are 8 sites designated in the Greystones/Delgany Local Area Plan as 'village centres', it is not envisaged that all of these will be developed as a neighbourhood or local retail centre having regard to the potential market and their location vis-à-vis the established town centre and other retail sites. Whilst allowing for competition and innovation in the provision of convenience floor space as outlined in 10.3.4 above, assessment of retail proposals will be made on a case-by-case basis, following retail impact assessment.

**AMENDMENT 4 SECTION 10.4.5**

**NEIGHBOURHOOD CENTRES**

**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.

**SECTION D                      INFRASTRUCTURE**

**CHAPTER 11                    ROADS AND TRANSPORTATION**

**TOPIC 1:                      CHAPTER INTRODUCTION**

**Summary of issues raised**

85	Keep Ireland Open	<p>i. It is suggested that reference should be made to the "European Charter of Pedestrian Rights" (1998).</p> <p>ii. It is suggested that the following wording be included in the bullet points in this section "<i>To improve facilities for pedestrians and access facilities for people with special mobility needs in line with the aims of the Charter</i>".</p>
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**Managers Opinion**

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Section 11.1 sets out the plans overall strategy for Roads and Transportation throughout the County. While this does not include specific reference to the "European Charter of Pedestrian Rights" (1998) it is considered that the purpose and intentions of this charter have been carried forward in the plan through appropriate objectives as set out in Chapter 11. While this should be noted it is considered reasonable that Section 11.1 should include specific reference to the needs of people with special mobility needs, which should read as follows:

*"To improve facilities for pedestrians and access for people with special mobility needs".*

**Managers Recommendation**

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**Amend the plan as follows:**

**Chapter 11, Section 11.1 Introduction**

It is therefore the strategy of this plan to

- 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 public transport links within towns (such as feeder buses to train stations) and between towns;

- 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 facilities for pedestrians and access for people with special mobility needs



**TOPIC 2: PUBLIC TRANSPORT**

**Summary of issues raised**

96	Paul Leahy	<ul style="list-style-type: none"><li>i. The provision of public transport should be encouraged along the N11</li><li>ii. Additional train stops should be provided at Avoca and Glenealy</li><li>iii. The provisions of the Rural Transport Initiative should be encouraged and enhanced</li><li>iv. Integrating ticketing should be promoted throughout the County.</li></ul>
156	Wicklow County Council Roads Department	Section 11.2 – the plan should include objective that makes provision for bus park-and-ride on the N11 at locations such as Newtownmountkennedy and Kilpedder.
158	Arklow Area Engineer	<ul style="list-style-type: none"><li>i. Section 11.2 - reference should be made to integrating transport services i.e. integrating different modes of transport e.g. train terminal meets bus stops, bus terminal meets taxis and all termini meet parking facilities for cars and bicycles</li><li>ii. Objective PT1 - DTO / DTA replaced with NTA</li><li>iii. Objective PT2 - include word 'covered' for bicycle parking</li><li>iv. Section 11.7.1 - should include reference to 'covered' bicycle parking, real time passenger information displays and priority space for disabled users or car pooling groups</li><li>v. Section 11.7.3 - include reference to 'covered' bicycle parking</li></ul>

**Managers Opinion**

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1. It is an objective of the plan (Objective PT6) to “pursue the provision of a bus priority scheme on the N11 / M11 from Rathnew to the County boundary at Bray”. It is considered that this objective sufficiently facilitates the potential future provision of public transport along the N11

2. It is an objective of the plan (Objective PT4) to “ensure that possibilities for improvement of the Dublin – Rosslare line, including the re-opening of closed stations, are maintained and to ensure that land uses adjacent to former stations are appropriate and would facilitate future improvements. In particular

- To resist any development within 20m of the railway line;
- To resist demolition or removal of any former train station structures or apparatus, other than for safety reasons;

- To require any development proposals in the vicinity of former train stations to be so designed to facilitate future access to the station and to reserve adequate space for future car parking. It is considered the provision of this objective in the plan is sufficient.

3. Section 11.2.1 relates specifically to the Rural Transport Initiative with objective PT9 promoting the existing service provided and encouraging the further development of the Wicklow Rural Transport Initiative.

4. It is an objective of the plan (Objective PT2) to “promote the development of transport interchanges and ‘nodes’ where a number of transport types can interchange with ease”. Among other issues particular reference is made relating to promoting integrated ticketing between transport types.

5. It is considered that the designation of particular locations and sites for regional park and ride facilities should not occur prior to the carrying out of more investigations into the origin / destination of commuters and the services / needs of public transport providers. In this regard, it is recommended that the wording of Objective PT2 be amended by deleting reference to particular locations as set out below in the recommendations section.

6. Section 11.2 sets out the plans objectives relating to public transport. PT1 states that it is an objective of the plan “To cooperate with the DTO/DTA and other relevant transport planning bodies in the delivery of a high quality, integrated transport system in the greater Dublin area”. PT2 states that it is an objective “To promote the development of transport interchanges and ‘nodes’ where a number of transport types can interchange with ease”. Within this objective a number of aims are set out relating to park and ride facilities, parking, integrated ticketing, pedestrian movements etc all of which strive towards the achievement of a multi modal network within the County. Based on this it is considered that the plan sets out sufficient objectives towards the achievement of an integrated transport network throughout the County.

7. It has been noted that the National Transport Authority ‘NTA’ was established in December 2009 with its status as a prescribed body being provided for under Section 108 of the Planning Acts of the DTA Act 2008 which states that “*references in existing legislation to the DTO shall be deemed to be references to the Authority dissolution of the DTO*”. In accordance with this all references in the Draft Plan to the DTO shall be updated to NTA.

8. It is considered appropriate to include the wording “covered Bicycle Parking” under objective PT2 and under Sections 11.7.1 and 11.7.3.

## Managers Recommendation

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Amend the plan as follows:

### 1. Chapter 11, Section 11.2

**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 Fassaroo, 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.

2. Change all references to the 'DTO' to the "NTA"

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

TOPIC 3: CYCLING & WALKING

Summary of issues raised

85	Keep Ireland Open	<p>i. It is suggested that there would be a section included in the draft plan similar to the following "The European Charter of Pedestrian Rights",</p> <ul style="list-style-type: none"> <li>a. <i>The pedestrian has the right to live in a healthy environment and freely to enjoy the amenities offered by public areas under conditions that adequately safeguard both physical and psychological well-being.</i></li> <li>b. <i>The pedestrian has the right to live in urban and village centres tailored to the needs of human beings and not to the needs of the car and to have amenities within walking or cycling distance.</i></li> <li>c. <i>Children, the elderly and the disabled have the right to expect towns to be places of easy social contact and not places that aggravate their inherent weakness.</i></li> <li>d. <i>The disabled have the right to specify measures to maximise mobility, such as the elimination of architectural obstacles and the adequate equipping of public transport.</i></li> </ul> <p><i>The Council will, therefore, seek to improve access to buildings and public spaces through the statutory development control process. This will include ensuring that all non-domestic developments, including where possible, change of use, alterations, and extensions to existing buildings are accessible to people with special mobility needs, incorporating level access into the building.</i></p> <p>ii. It is suggested that the Section 11.3 "Cycling &amp; walking" and its objectives should be amended as follows:</p> <ul style="list-style-type: none"> <li>a. In relation to the objective CW1, which reads "<i>To improve existing or provide new foot and cycleways on existing public roads, as funding allows</i>", the wording "<i>funding allows</i>" should be deleted.</li> <li>b. In relation to objectives CW2, 3 &amp; 5 these should be broken up into different sections – 'Walking and Cycling', 'Walking' and 'Cycling' as follows:</li> </ul> <p>Under the section "Walking and Cycling" the following wording and objectives should be used:</p> <ul style="list-style-type: none"> <li>- Walking and Cycling will be promoted by securing the development of a network of safe cycle routes and footpaths on new and existing roads and on routes reserved exclusively for pedestrians and cyclists.</li> </ul>
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	<ul style="list-style-type: none"><li>- New Walkways and cycle routes should be established on a legal and permanent basis.</li><li>- Road Safety for pedestrians and cyclists would be improved by lower speed limits and priority over motorized transport and by providing linear parks, footpaths, cycle paths and public lighting in towns and villages.</li><li>- Footpaths on the outskirts of towns and villages should be extended where appropriate and adequate public lighting should be provided.</li><li>- Develop linkages with walking and cycling trails in adjoining counties</li><li>- All routes should be signposted /way marked</li><li>- A network of rural footpaths, cycleways, mountain biking trails and bridle paths shall be promoted.</li><li>- Support cycling and walking groups in promoting their disciplines and developing routes and facilities.</li><li>- Support the National Trails Network, Sli na Slainte and other defined walking trails and cycle routes</li><li>- j. Support the promotion of walking and cycling as sustainable transport modes and healthy recreational activity throughout the County</li></ul> <p>Walking:</p> <ul style="list-style-type: none"><li>- Facilitate the provision of car parks for walkers at appropriate access points to amenities</li><li>- The Council shall establish a register of all walking routes and preserve, protect and add additional walking routes</li><li>- All traditional paths used for leisure purposes shall be mapped and determine the legal basis and status of their use.</li><li>- The Council shall promote the use of guided walks</li><li>- The Council shall prohibit any development that prohibits the intrusion of development along public walking routes and public rights of way particularly those in scenic areas and along inland waterways.</li><li>- The Council shall develop a Walking Policy within two years of the adoption of the Plan</li><li>- The Council shall protect the integrity of walking routes.</li></ul> <p>Cycling</p> <ul style="list-style-type: none"><li>- All cycle routes shall be labelled and easily identified</li><li>- The routes shall follow in order of preference: off-road tracks, quiet country roads and regional or national roads.</li><li>- A complete network of interlinked cycleways throughout the county</li></ul>
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		shall be identified and in addition it shall be integrated with the DTO strategic cycle network for the Greater Dublin Area.
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### **Managers Opinion**

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Chapter 11 Section 11.3 of the Draft County Development Plan sets out the objectives of the plan relating specifically to the areas of walking and cycling in the County. At the forefront of these objectives is to prioritise these more sustainable forms of transport in the entire County through appropriate planning, design and control. While it is noted that it is suggested that the wording “as funding allows” be deleted from objective CW1 it is considered that this wording is necessary as it gives context to the likelihood of achieving this and prevents unrealistic expectations. It is not considered that the inclusion of this wording will prevent future improvements or upgrades to existing footpaths or pedestrian medians but merely highlights the fact that these works can only be carried out where funding from local and central Government exists. The provision of new road ways will be required to be designed and constructed in accordance with Design Manual for Roads and Bridges.

Having regard to the proposal to separate Section 11.3 ‘Walking & cycling’ into individual sections, and while there is some merit to such a suggestion, it is considered that the current format is sufficient and adequately sets out the Council’s objectives relating to walking and cycling without overcomplicating the plan’s objectives on these topics. Chapter 5 Section 5.4 also sets out the Draft Plan’s Design Standards for Urban Areas such as town centres, brown and greenfield sites where the themes of connectivity and legibility are at the forefront of the objectives for the renewal and provision of new developments. Chapter 17 Section 17.7 also sets out the Council’s objectives towards walking and cycling in rural areas in accordance with the provisions of the County Wicklow Outdoor Recreational Strategy 2009-2013.

It is considered that the current objectives set out in the draft plan adequately fall in line with the provisions of the European Charter of Pedestrian Rights and therefore the additions as suggested above is not considered necessary.

**TOPIC 4: PUBLIC ROADS**

**Summary of issues raised**

89	Dan Kenny	<p>This submission makes specific reference to lands located to the north of Blessington accessible off the N81 and measuring c. 1.96ha. The subject lands are situated in an area where it is proposed that the Blessington Inner Relief Road northern section is to be located. The submission details the previous planning history surrounding the completion of the Inner Relief Road and states that the current landowner is concerned that the Draft County Development Plan does not include any objectives relating to its development.</p> <p>The submission requests that objectives be included in the plan which facilitate and encourage the completion of the Inner Relief Road in Blessington and that the road be aligned along the northern boundary of the Kenny landholding in this area to the north of Blessington.</p>
96	Paul Leahy	<p>Investment in road infrastructure should be made to facilitate existing needs rather than speculative future development.</p>
21	bba architecture	<p>It is requested that the plan include as a roads objective a new road linking the Kilcoole – Newtownmountkennedy Road to the Greystones Southern Access Road.</p>
52	Stephen Deegan	<ul style="list-style-type: none"><li>i. The submission makes reference to the route selection process for the N81 upgrade and the implications for the village of Ballymore Eustace. Particular reference is made regarding road safety at Poulaphouca for local residents in this area.</li><li>ii. Consideration and consultation in the future upgrading of the N81 is needed regarding the provision public transport and location and positioning of bus stops.</li><li>iii. It is contended that the upgrade of the N81 should facilitate the existing strong cycling culture at weekends from Dublin along the N81 in it design.</li></ul>
74	Greystones Traders	<p>It is suggested that the N11 is no longer a national route and due to poor planning it has turned into a commuter route.</p>
159	Construction Industry Federation	<ul style="list-style-type: none"><li>i. It is suggested that the Council would adopt a proactive approach in ensuring strategic infrastructure is in place in all zoned areas so as not to impede development of the zoned lands.</li></ul>

		ii. It is suggested that there should be enhanced co-ordination between local authorities and the relevant Government Departments and agencies in providing sufficient infrastructural requirements for the County.
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### **Manager's opinion**

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1. The provision of more strategic road infrastructure is based upon the existing and future needs of the resident population. The draft plan only relates to strategic projects/works such as those referred to in Sections 11.4.2 National Roads and 11.4.2 Regional Roads and does not make any specific reference to lower class or local roads. Specific road objectives to be carried out at a local level are normally tied into objectives in Local Area Plans whereby if a new section of road is needed to be provided in order to facilitate development the developer will be required to incur the cost of such infrastructure in order to service the proposed development.
2. Submission 89 (Dan Kenny) relates specifically to the town of Blessington and proposes that a specific objective be included in the County Plan which facilitates and encourages the completion of the Inner Relief Road in Blessington and that the road be aligned along the northern boundary of the Kenny landholding in this area to the north of Blessington. While the Draft Plan does detail specific works objectives for both the N81 and N11 these are considered to be of a strategic importance. The provision of a specific objective relating to the inner relief road for Blessington is considered to be more of a local issue that should be dealt with in the development of the Blessington Local Area Plan (currently being prepared) and therefore it is not considered appropriate for inclusion in the County Development Plan. Similarly, the suggestion made in Submission 21 (bba architecture) is more appropriately dealt with through the local plan processes.
3. The NRA National Road Design Office in Naas has undertaken a constraints study of the N81 from Tallaght to Hollywood with a view to determining a range of possible improvements, including rerouting some of the existing road from the County boundary to Hollywood Cross. The development and determination of this route is outside the remit of the County Development Plan and is within the jurisdiction of the National Roads Authority. This development forms a separate process to the County Development Plan and will undergo a public consultation process specifically relating to the road and route selection. The issues raised in this submission are more directly concerned with this route selection process and are outside the remit of the plan.



4. The issue raised by the Greystones Traders is noted however the M11/N11 is a strategic corridor forming part of the National Road network through the County. It is considered that to identify this road as anything else would be incorrect.
5. The objectives set out relating to National Routes aim to ensure that strategic infrastructure is adequately provided for in order to meet the resident and future populations within the County. However, this is dependant on the priorities of the National Roads Authority, and outside the control of this Council. At a local level the development of additional lands is subject to adequate infrastructure being in place prior to either the development or occupation of any such developments as specified in local objectives or as part of conditions of planning permission.
6. Consultation and co-operation with bordering local authorities and prescribed bodies in relation to the provisions of adequate and joined up infrastructure is constant throughout the development process.

**Manager's recommendation**

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No change

**TOPIC 5: PARKING**

**Summary of issues raised**

21	bba architecture	It is requested that the parking requirements for licensed premises be reduced from 20/100sqm to 10/100sqm given the current drink driving laws.
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**Manager's opinion**

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Chapter 11 Table 11.2 sets out the parking standards for the County. Bars/Lounges and Function Rooms currently require 20 spaces/100sqm gross floor area. Given the restrictions imposed by the Drink Driving regulations and the reduction in demand for parking spaces in Public Houses it is considered reasonable to amend the draft plan's requirements and reduce the ratio to 10 spaces/100sqm gross floor area.

**Manager's recommendation**

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**Amend the plan as follows:**

**Chapter 11 Table 11.2**

Parking standards for Bars/Lounges and Function Rooms as follows:

From:	To:
20 spaces/100sqm gross floor area	10 spaces/100sqm gross floor area

**TOPIC 6: DEVELOPMENT STANDARDS**

**Summary of issues raised**

141	Brian Stokes	This submission relates specifically to Section 11.7.6 of the draft plan which deals with set backs to public roads. It is requested that the Council qualify it's 100m national road building line set back by either excluding it's application within the boundary of the Ashford LAP or alternatively by relaxing it to 50m within the LAP area.
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**Manager's opinion**

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Section 11.7.6 of the Draft County Development Plan deals with the issue of set backs, with Table 11.4 providing details of the required set backs from different classifications of roads. This submission relates directly to the 100m set back from national roads as required in the plan. The set back referred to in this submission specifically relates to lands zoned within the Ashford Local Area Plan AA1 where a specific objective relating to a 100m set back from the N11 shall be provided.

While Table 11.4 of the draft plan requires a 100m set back from National Roads, the objectives in the plan do state, "exceptions to this can be provided for where specified in a particular Local Area Plan" or having regard to:

- The likelihood of future road widening / realignment at that location;
- The desire to maximise development density at locations in or close to urban areas;
- The need to ensure adequate separation between roads and dwellings, to ensure adequate residential amenity; in particular to ensure limited disturbance by traffic noise and headlight glare from the adjacent road;

The Ashford Local Area Plan contains a specific objective regarding AA1 to provide for a 100m set back from the National Road and therefore it is considered that this issue is outside the remit of the County Development Plan. It should be noted however that the above objectives do allow for sufficient scope in the future reviews of this Local Area Plan for this set

back to be reduced where a strong case has been put forward and the above criteria can be adequately met.

**Manager's recommendation**

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No change

## CHAPTER 12 WATER INFRASTRUCTURE

### TOPIC 1: THE WATER FRAMEWORK DIRECTIVE

#### Summary of issues raised

145	The Campaign for Sustainable Rural Housing	<ul style="list-style-type: none"><li>i. It is suggested that the Local Authority would undertake a study regarding the protection of water quality in the County.</li><li>ii. It is suggested that a register of licensed Site Assessors would be formulated by the Local Authority.</li></ul>
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#### Manager's opinion

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1. The area of water quality from an infrastructural point of view is dealt with under Chapter 12 'Water Services' while Chapter 17 'Natural Heritage' deals with water as a natural resource fundamental to the survival of our natural habitats and the species therein.

Having regard to the issue of water quality and the protection of water quality the Water Framework Directive (2000/60/EC, Directive of the European Parliament and of the European Council, establishing a framework for Community action in the field of water policy) forms the major driver for achieving the sustainable management of water throughout the country. The Directive introduced a new perspective in terms of water management, based on River Basin Districts (RBD's) and required that all inland and coastal waters within defined river basin districts must reach at least *good status* by 2015. This is to be achieved through the establishment of environmental objectives and ecological targets for surface waters. These objectives and targets are clearly set out in a River Basin Management Plan (RBMP) that also include a Programme of Measures (POMs), which will set out how these targets are achieved. The result will be an improved water environment achieved by taking due account of environmental, economic and social considerations.

In order to achieve this, baseline information was required to be gathered in order to establish the current quality of existing water sources and from this the river basin management plan and a programme of measures could be formulated. While this does not form part of the County Development process the plan must have regard to the River Basin Management Plans and Programme of Measures aimed towards achieving good water status. It is therefore not considered necessary to carry out a detailed study regarding the protection of water quality as this has already been carried out under the provisions of the Water Framework Directive as set out above.

2. Wicklow County Council has recently produced a policy guidance document on wastewater treatment and disposal systems for single houses, based on EPA guidance. This document clearly sets out the requirements for such systems and the code of practice and standards to be achieved by those carrying out the assessment. This policy requires that any site assessments and proposals for on-site effluent disposal systems are carried out by suitably qualified professionals and that details of such qualifications along with their professional indemnity insurance be submitted with any application. It is not considered necessary therefore to establish a register of site assessors.

**Manager's recommendation**

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No change

**TOPIC 2: WATER SUPPLY AND DEMAND**

**Summary of issues raised**

80	Irish Concrete Federation	The submission welcomes the commitment in the plan to water conservation techniques but considers that Section 12.7.2 should be expanded to include consideration of commercial and industrial water conservation measures.
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**Manager's opinion**

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Section 12.7.2 (Chapter 12) addressed water conservation in residences but does not address water conservation in commercial / industrial sites. It is recommended that this be addressed through amendment.

**Manager's recommendation**

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**Amend the plan as follows:**

**Chapter 12, Section 12.7.2 Water demand**

- Water conservation measures shall be integrated into all new developments, through the provision of "dual flush" toilets ~~shall be required in all new developments~~, in accordance with Part G of the Building Regulations (as amended 2008) and water re-use / recycling measures, in particular on commercial / industrial sites with high water usage.

**TOPIC 3: WASTE WATER TREATMENT**

**Summary of issues raised**

52	Stephen Deegan	<p>i. It is considered that the River Liffey catchment is an important resource for the resident population in Ballymore Eustace. It is contended that the projected population growth set out in the Wicklow County Development Plan and the Blessington Local Area Plan will have a very detrimental impact on the Biodiversity quality of the River Liffey at Ballymore Eustace due to significant wastewater discharge into Golden Falls.</p> <p>ii. It is also considered that the Golden Falls area should be afforded the same protection as Poulaphouca Reservoir.</p>
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**Manager's opinion**

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1. The licensing of wastewater discharges in Ireland is carried out by the Environmental Protection Agency under the provisions of the Waste Water Authorisation (Discharge) Regulations 2007. Licenses for the review of wastewater discharge licenses must be reviewed at a time not exceeding 6 years from the date of the licence or revised licence was granted. The purpose of a Waste Water Discharge licence is to make provision for the protection of the environment and the protection of human, animal and plant life from harm or nuisance caused by the discharge of Dangerous Substances to the aquatic environment as well as to ensure compliance with National Law. Waste Water Discharge Licensing encourages the use of advanced waste water treatment technologies, the regularisation of waste water discharges from primary and secondary discharge points and storm water overflows, improved efficiency and effectiveness of pollution control, and allows for a more streamlined regulatory system that is open and transparent. Any proposals for the upgrading of the Blessington Wastewater Treatment Plant and additional discharges to the River Liffey catchment must undergo this process and be licensed by the EPA.

2. The Poulaphouca Reservoir is designated a Natura 2000 site under the EU Habitats Directive. It is not within the remit of this County plan to confer EU designation.

**Manager's recommendation**

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No change



TOPIC 4: FLOODING

Summary of issues raised

96	Paul Leahy	<p>i. It is suggested that the plan should acknowledge damage to coastal areas and inland flooding caused by a lack of drainage to local river basins.</p> <p>ii. It is suggested that no development should be allowed in areas prone to flooding</p>
126	River Vartry Protection Society	<p>Section 12.6 - heading 'Avoidance of development in flood risk areas' - it is requested that the following paragraph be added:</p> <p>"Where an area or site has been determined to be in the high-risk zone (having been evaluated in accordance with the 'Justification Test' set out in the Guidelines), it is an objective of this plan that that land will not be zoned for development unless the flood risk can be managed to an acceptable level without increasing flood risk elsewhere and where possible, reducing flood risk overall.</p> <p><i>Where previous plans or Local Area Plans have designated land to be zoned residential, which fall within these high-risk zones, these should be adjusted in light of climate change and the inevitability of flooding. These would be high-risk areas where development has not commenced or planning permission has not been granted and the floodplain can be preserved"</i></p>

### Manager's opinion

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1. Chapter 12 Section 12.6 'Flooding' sets out the plans objectives regarding the issue of flooding throughout the County. The objectives set out in this chapter have been formulated based on best practice as outlined in the Office of Public Works guidance document '*The Planning System and Flood Risk Management*' (2009) and are therefore considered sufficient.
2. While the intentions of the suggested new text is noted it is not considered necessary to include wording to this extent regarding existing Local Area and Town Plans where a flood risk study and designation of flood risk zones has not been carried out. In cases such as this the guidelines allow for the development management process to assess applications on their merits placing the onus on the developer to take into consideration the potential implications of developing in close proximity to an existing river or within a known flood plain. The Development Management section of the Planning Authority currently assess any lands in 'high risk' areas and demand that flood risk assessments be carried out regardless of whether these are zoned. It is considered that this procedure is sufficient and as existing plans are being reviewed a flood risk assessment will be carried out in accordance with the requirements of the Office of Public Works guidance document '*The Planning System and Flood Risk Management*' (2009) and are therefore considered sufficient.

### Manager's recommendation

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No change

## CHAPTER 13 WASTE AND ENVIRONMENTAL EMISSIONS

### TOPIC 1: CHAPTER INTRODUCTION

#### Summary of issues raised

96	PAUL LEAHY	The plan should promote waste separation and impose more stringent fines on offenders.
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#### Manager's opinion

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While the plan does not specifically state the term "Waste Separation" the overall strategy as set out in Chapter 13 Section 13.1 is "*To promote and facilitate best practice in prevention, re-use, recovery, recycling and disposal of all waste produced in the County in accordance with the Waste Management Hierarchy and the objectives of the Wicklow Waste Management Plan, the National Waste Prevention Programme (EPA 2009) and the National Hazardous Waste Management Plan*". It is considered that the term 'waste separation' is in-built into to the term 'best practice' and therefore it is not considered necessary to specifically include wording which promotes this process. Penalties for offences is a matter for primary legislation and are not a matter for a Development Plan.

#### Manager's recommendation

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No change

**TOPIC 2: SOLID WASTE MANAGEMENT**

**Summary of issues raised**

80	Irish Concrete Federation	While Section 13.2 is welcomed in the plan an addition to this section is requested in order to consider the development of waste recycling facilities in authorised quarry developments which would be in keeping with most regional WMPs nationwide and supportive of objective WM6.
126	River Vartry Protection Society	End of Life Vehicles: i. The plan fails to make reference to a County Wide Plan for an Authorised Treatment Facility for End of Life vehicles in accordance with S.I. No. 282 of 2006. ii. It is considered that the plan should ensure that breakers yards and re-cycling facilities should be properly located before environmental waste permits are granted.

**Manager's opinion**

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1. As set out above it is considered that the objectives set out in Chapter 13 Section 13.8 "waste and environmental emissions development standards" and Chapter 8 Section 8.3.1 "Commercial and Industrial development in the rural area" provide sufficient scope to facilitate and guide the development of waste recycling facilities in accordance with provisions of the Wicklow Waste Management Plan and any such reviews. However, it is noted that Section 13.8.4, "Construction and Demolition Waste Facilities", does not include for the recycling of such waste, and this should be amended accordingly.

2. Enabling legislative provisions were incorporated into the Protection of the Environment Act 2003 - which inserted a new part VA in the Waste Management Act 1996 - to facilitate the transposition and implementation in Ireland of European Parliament and Council Directive 2000/53/EC on end-of-life vehicles. Following a period of public consultation, the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) were made and came into effect on 8th June 2006. In this regard, while the plan does not specifically state the term 'end of life vehicles' this is covered under objective WM3 where it is an objective "*To facilitate the development of existing and new waste recovery facilities and in particular, to facilitate the development of 'green waste' recovery sites*". In accordance with the regulations each producer's national collection system is required to have at least one authorised treatment facility in every city and county council area that will provide free take-back for vehicles of that producer's brand or for which that producer has responsibility. Producers are

required to have additional authorised treatment facilities in place in those counties and cities with a larger population base (i.e. one additional facility for each additional 150,000 persons in the relevant county or city). In accordance with the regulations county Wicklow contains one authorised treatment facility located at Leon Recycling, Croghan, Industrial Estate, Arklow.

3. Section 13.8.2 'Employment and Commercial development' sets out the criteria required to be met in applying for permission for commercial developments dealing with waste. The issuing of a waste permit is a separate process to that of a planning application and is outside the remit of the County Development Plan. A waste permit deals specifically with the actual process proposed rather than the location of the proposed development which is a planning matter. The issuing of a waste permit therefore does not ensure that planning permission will be granted for such a development as each application will have to be assessed on planning grounds relating to for example location, zoning, scale, type of use, proximity to residential developments etc. The criteria set out in the Draft County Development Plan are considered to be adequate regarding the location of waste facilities with the issue of waste permits being outside the remit of the Plan.

#### **Manager's recommendation**

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**Amend plan as follows:**

#### **Chapter 13, Section 13.8.4 'Construction & Demolition Waste facilities'**

Applications for the development of commercial waste disposal **or recycling** facilities catering for the disposal **or reuse** of inert clean soils, clays, sands, gravels and stones shall only be permitted at appropriate locations and shall be subject to the following:

**TOPIC 3: ZONING REQUESTS**

**Summary of issues raised**

32	Maura and Oliver Byrne	<p>This submission request that a specific objective be included in the plan relating to the development of lands located at Coolbeg as a Waste Management and Resource Recovery Park - "<i>To investigate and facilitate the designation and development of lands at Coolbeg and Ballynagran as a Waste Management and Resource Recovery Park</i>"</p> <p>The subject lands measure c. 18ha are located immediately to the west of the existing N11 National Road, to the south west of its junction with the R751 / The Beehive and are bisected by the L1113 a local road extending westwards off the N11. The lands are currently in agricultural uses. The overall submission includes the Ballynagran Landfill operated by Greenstar and the Kingtree composting facilities which is located immediately north of the site.</p> <p>Concern is raised regarding the statement in Section 13.2 of the plan "<i>The role of a land use plan in the achievement of these objectives (as contained in the water management plan) is somewhat limited, but it will play a role in guiding the location of new facilities and services that are necessary to implement the Wicklow Waste Management Plan</i>". It is submitted that there is a crucial relationship between the policies of the Waste Management Plan and in respect of a strategy for best practice in waste management and the Development Plan in terms of how such a strategy is translated into appropriate land uses and the location of waste management activities.</p> <p>It is argued that the subject lands are ideally located to accommodate a Waste Management and Resource Recovery Facility, which in turn would contribute to the waste management targets of the County Waste Management Plan.</p>
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**Manager's opinion**

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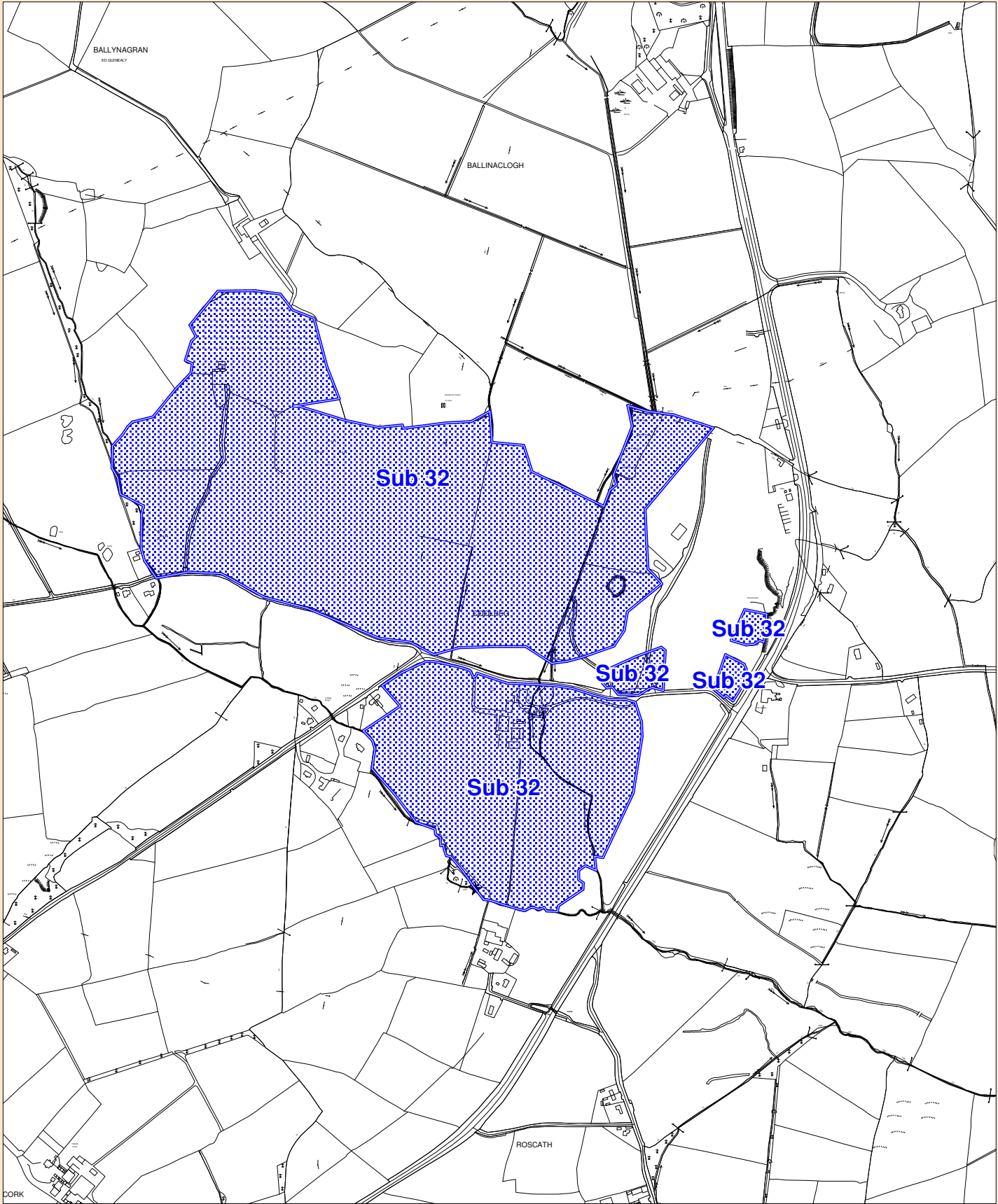
While the proposals put forward for the inclusion of an additional objective facilitating the designation and development of lands at Coolbeg and Ballynagran as a Waste Management and Resource Recovery Park are noted it is not considered appropriate for a strategic plan such as the County Development Plan to specify or designate lands for particular uses. The objectives set out in Chapter 13 Section 13.8 "Waste and environmental emissions development standards" and Chapter 8 Section 8.3.1 "Commercial and Industrial development in the rural area" of the plan are considered to provide sufficient scope to facilitate and guide the development of such facilities in accordance with provisions of the Wicklow Waste Management Plan and any such reviews.

**Manager's recommendation**

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No change

# Chapter 13 - Waste and Environmental Emissions



Sub 32 - Waste Management and Resource Recover Park Proposal - Coolbeg





**CHAPTER 14 ENERGY AND TELECOMMUNICATIONS**

**TOPIC 1: CHAPTER INTRODUCTION**

**Summary of issues raised**

64	Eirgrid PLC	<ul style="list-style-type: none"><li>i. It is suggested that there would be an overall objective included in the plan of the Government's objective of achieving 40% renewable energy by 2020, which would be facilitated by the development, strengthening and reinforcement of the Grid;</li><li>ii. It is suggested that the draft plan would include an overall objective to support and facilitate bulk energy infrastructure and detailed maps would be included in the proposed development plan that indicates proposed and existing Grid in the country.</li></ul>
143	Teagasc	It is suggested that the plan should promote more objectives in relation to the wood energy sector.

**Managers Opinion**

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Section 14.1 of the plan sets out the overall strategy for Energy and Telecommunications in the County. It is considered that the existing policies and objectives in this section adequately set out the overall objective of the plan in regard to energy and telecommunications and therefore it is not deemed necessary to include figures or specific renewable energy types as the topics and wording used in this section are all encompassing.

**Managers Recommendation**

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No change

**TOPIC 2: ENERGY**

**Summary of issues raised**

52	Stephen Deegan	<ul style="list-style-type: none"><li>i. It is considered that Wicklow and Kildare Local Authorities should as policy setters work alongside the ESB and Dublin City Council in order to create innovative ways of producing renewable energy from the local resources in the area</li><li>ii. The provision of a Sustainable Energy Strategy should also be included in the County Development Plan and Local Area Plans consistent with the National Climate Change Strategy.</li></ul>
64	Eirgrid plc	It is suggested that the draft plan would include an overall objective on energy and renewable energy in line with the White Paper on Energy, "Towards A sustainable Energy Future for Ireland", the Energy Policy Framework 2007-2020 and in addition it is also suggested that the development plan makes reference to Government's energy strategies and the relevant bodies that are mandated to implement these strategies.
71	Forest Friends Ireland	It is suggested that there should be an emphasis on the development of smart and green technologies including promoting micro-energy renewable energy devices of an appropriate scale to the Glencree valley landscape.

120	Karsten Pohlman	<p>This submission pertains to the development and use of renewable energy in the County and in particular to the Newcastle area where a site has been identified for the development of an Anaerobic Digester facility.</p> <p>This submission raises the following issues:</p> <p>i. It is suggested that Blackditch Farm and the lands at Blackditch would be a suitable area for the conversion and development of renewable energy namely in the form of an Anaerobic Digester (AD) and Combined Heat Power (CHP). It is suggested that zoning of these lands would allow for a renewable energy facility to establish at this area.</p> <p>ii. In addition to the development of the farm as a renewable energy operation it is suggested that a business operation would occur at this location in the form of information centre/educational offices, farm café, micro brewery, research and development sector, horticultural businesses, fertilizer businesses, and consultancies these enterprises would be in conjunction with the renewable facility.</p> <p>iii. It is suggested that Wicklow County Council would draft guidelines for the purchase of renewable energy if available from local producers such as AD facilities.</p>
153	Wicklow Uplands Council	<p>The Uplands Council state that they are in support of sustainable national and international policies, which promote the development of all renewable energy sources.</p>
85	Keep Ireland Open	<p>i. In relation to the Wind Energy Objectives it is suggested that there should be an additional bullet point under objective WE1 to include the following words "<i>To take into account the impact on public rights of way and walking routes and public access to the countryside</i>"</p> <p>ii. In relation to "Hydro Energy Objectives" it is suggested that the following objective should be added "<i>The Council will encourage the development of small scale hydroelectric projects where they do not interfere with aquatic wildlife, heritage, rights of way, access tracks and third party properties</i>".</p>

64	Eirgrid PLC	<p>i. It is suggested that placing electricity lines over ground often outweigh the costs, health benefits and maintenance of electricity lines which are placed underground and in addition Eirgrid accepts the importance of landscape in identifying transmission line routes however they accept that landscapes may be impacted upon</p> <p>ii. It is indicated that EirGrid is committed to the application of environmental best practice</p> <p>iii. It is suggested that under Section 14.3.1 that reference would be made to the published framework for sustainable economic renewal entitled "<i>Building Ireland's Smart Economy</i>" and that the interdependent relationship between the different factors in order to achieve energy sustainability should be clearly stated.</p> <p>iv. It is suggested that under Section 14.3.2 that the interdependency of the national electricity transmission network and strategies for the development of renewable energies would be clearly outlined and the progression of same is dependant on the facilitation, development, reinforcement and strengthening of the national Electricity Transmission Network (the Grid).</p> <p>v. It is suggested that Objective GE3, which reads as follows "<i>To support and facilitate the development of landing locations for any cross channel power interconnectors</i>" would be amended to make reference to providing for the provision of landing locations for future offshore marine energy generation.</p>
159	Construction Industry Federation	It is suggested that in relation to Objective EH1 which requires all new buildings to meet a minimum Building Energy Rating (BER1) of B1 this should be amended to ensure that there is no requirement to achieve a B1.
80	Irish Concrete Federation	The benefits of energy efficient building practices are highlighted as a key to sustainable development including the use of concrete as a construction material. This submission is fully supportive of the objectives of Section 14.5.

## **Managers Opinion**

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1. Strategic Goal 10 of the plan, as set out in Chapter 3, clearly sets out the position and objective with regard to climate change, renewable energy and meeting national obligations in this regard. Consultation occurs with adjoining local authorities and bodies with regard to development plans and strategies (as adjoining local authorities are prescribed bodies for such processes) and on specific projects where necessary but a consultation process targeted specifically on renewable energy has not been established. While this may be the case the strategies and objectives set out in the plan relating to Housing, Waste Management, Transport and Energy for example all have an overriding theme aimed at providing for sustainable development and energy and emissions reduction in line with the provision of the National Climate Change Strategy. It is considered that this is a significant step forward in setting the strategy for the overall county and while there is substantial merit in the suggestion put forward to create a Sustainable Energy Strategy for the County and some sort of Energy Agency alongside neighbouring authorities it is considered that this would be outside the remit of the plan.
2. Chapter 14 and Volume 2 Part 4 sets out the strategy and objectives of the plan regarding the development of smart/green technologies including wind power generation. It is considered that the provisions made in these sections of the plan are sufficient and facilitate the development of potential renewable energy projects at appropriate locations. With regard to Submission 71, it is not considered appropriate for a Development Plan to have general policies for specific areas.
3. With regard to Submission 120, Section 14.2.1 (4) 'Bio Energy' sets out the objectives of the plan in relation to the provision of Biomass Industry. While the objectives do not specifically identify lands for the production of biomass energy it is considered that the wording of the objectives adequately facilitate the development of such projects at appropriate locations. It is not considered that the operation of a renewable energy installation justifies downstream developments included in this submission.
4. With regard to the submission from Keep Ireland Open:
  - Objective WE1 of the plan states that the plan will encourage the development of wind energy projects at appropriate locations subject to a number of criteria. Point 2 of this criterion clearly states that the provision of a project will be assessed against the impacts, visually and on residential and recreational amenity. Recreational amenity in this instance includes public rights of way and walks; therefore it is considered that this issue is already addressed in the plan.
  - It is considered that objective HE1 already facilitates the development of such projects and therefore an additional objective is not considered necessary.

5. With regard to the Submission from Eirgrid:

i. The plan does not contain any objective or restrictions to the construction of power lines to serve developments and connect to the grid but does require that the visual impacts of such lines should be taken into consideration in the design process.

ii. This has been noted. The strategy and objectives set out in the plan aim to promote and facilitate environmental best practice in all aspects relating to Energy and Telecommunications.

iii. This issue has been noted and while chapter 14 does not specifically refer to the document "Building Ireland's Smart Economy" it is considered that the strategic aims and objectives set out, facilitate and promote the ideals of the document regarding the emphasis placed on a move away from fossil fuel based energy production towards more sustainable renewable energy technologies and the green enterprise sector.

iv. As set out in section 14.3.2 "Electricity Generation' (1) Wind Energy" it is clearly outlined that Access to the electricity transmission grid is an issue for the supply of wind-generated electricity, which is controlled by EirGrid and in some instances the ESB. It is also stated that while a land-use plan cannot impact directly on the manner in which the grid is regulated or developed, through the development of a Wind Energy Strategy, other planning 'bottlenecks' can be somewhat addressed through

- The identification of locations where wind energy projects will be favoured and supported
- The setting out of a clear set of parameters to be considered in the locating of wind farms
- Providing clear guidance about the design and layout of wind farm projects

It is considered that this existing wording sufficiently addresses what has been requested in this submission.

v. It is considered that Objective WE4, which states that it is an objective of the plan "to facilitate the development of off-shore wind energy projects insofar as onshore facilities may be required" sufficiently, meets the requirements set out in this part of the submission.

6. With regard to the submission from the Construction Industry Federation, it is considered more appropriate that the issue of the building energy efficiency is addressed through building energy regulations rather than the objectives of a land use plan, as this will set the overall national standards with regard to energy and will be reviewed over time. It is recommended that Objectives ED1 and EH1 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.*

7. With regard to the submission from, the Irish Concrete Federation, the overall aim of the objectives set out regarding renewable energy and efficient building technologies is to promote and facilitate more environmentally sustainable building practices throughout the County regardless of the type of materials proposed to be used during construction. Therefore no change is recommended.

### **Managers Recommendations**

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#### **Amend the plan as follows:**

Objectives ED1 and EH1 (in Chapter 14 Energy & Telecommunications) and bullet point (1) under heading 'Green Issues' in Section 5.4.5.2 of Chapter 5 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.*

**TOPIC 3            TELECOMMUNICATIONS**

**Summary of issues raised**

96	PAUL LEAHY	The plan should encourage the development of local community group broadband schemes.
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**Managers Opinion**

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It is considered that objective ICT1 adequately deals with this issue.

**Managers Recommendation**

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No change



**TOPIC 4            MAST & TELECOMMUNICATIONS DEVELOPMENT STANDARDS**

**Summary of issues raised**

85	Keep Ireland Open	With regard "Rural Locations" for masts, it is considered the following sentence should be inserted "Prohibit any developments which would impinge on a public right of way".
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**Managers Opinion**

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There is no definitive list of public ROWs available. If however a public ROW can be shown to exist at / near a location for development and that development would interfere with the established and legal use of the ROW, this issue can be addressed through the development management process. Therefore no specific objective is considered necessary in this regard.

**Manager's Recommendation**

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No change

**TOPIC 5            WIND ENERGY STRATEGY**

**Summary of issues raised**

63	Eirforce Wind Energy	<p>i. It is suggested that two specific sites that are identified within the County which are located in Cell 4, which is considered "Less favoured", should be re-classified as areas "Most favoured" for wind farm developments. It is suggested that the wind resource in Cell 4, which is considered "Less Favoured", has a greater wind speed and more favourable external factors than areas located in Cell 5 (the sites are at Croghan and north of Annacurragh).</p> <p>ii. It is suggested that the criteria to assess the theoretical shadow flicker of all dwellings within 600m of any turbine should be reduced to 500m as indicated by the DoEHLG Planning Guidelines.</p>
67	ESB Wind Development	<p>This submission identifies a specific site approximately 10km west of Arklow town and 6.5km south of Aughrim. The site is located east of the peak of Croghan Mountain and west of the peak Slievefoore. This site is currently identified as "Less Favoured" and it is requested that it be reclassified as area which are "Most Favoured". The site is adjacent to "Cell 5" which is considered "Most Favoured" and there has been a previous An Bord Pleanala decision (PL.27 208007) which considered the area appropriate for wind farm developments.</p>
81	Irish Wind Energy Association	<p>It is suggested that the requirement of a 200m buffer zone around archaeological sites that is proposed is unnecessarily restrictive and it is proposed that the buffer zone would be 30m which is suggested is the normal buffer zone around archaeological sites.</p>

**Manager's Opinion**

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1. The sites referred to in Submissions 63 and 67 have been re-evaluated. The two sites at Croghan are in very close proximity to a 'most favoured' area around Arklow and are considered appropriate to include in that 'most favoured' cell. With regard to the site north of Annacurragh, it is considered that this site should remain in a 'less favoured'

cell in recognition of the visual sensitive nature of the area. This designation Department of the Environment, Heritage and Local Government snot preclude wind energy development, but requires more justification and impact analysis to be included in any application.

2. As defined in the DoEHLG guidance 'Shadow Flicker' is the term used to describe the short-lived effect of shadows cast by rotating blades of wind turbines when the sun passes behind them, which occurs under certain combinations of geographical positions and time of day. The guidance set out in the above document indicates a minimum distance of 500m from dwellings or offices, the distance of 600m as required in the draft plan has been based upon the precautionary principle and best practice and therefore it is not considered necessary to reduce this distance.
3. Section 3 – Assessment Criteria 2 states:

*"Potential impact of the project on built heritage including*

- Archaeological sites;*
- Recorded monuments;*
- Protected sites / buildings;*

*This may include archaeological fieldwork in advance of the application being considered. Buffer zones around such features will be required to be established, the zone normally being a 200m radius around such features / sites".*

The wording used here does not specifically state that there is a requirement for a buffer zone of 200m but merely states that fieldwork carried out in advance of submitting a planning application should establish adequate buffer zones from items of built heritage. The establishment of such buffers should be carried out in consultation with the DoEHLG archaeological section.

### **Manager's Recommendation**

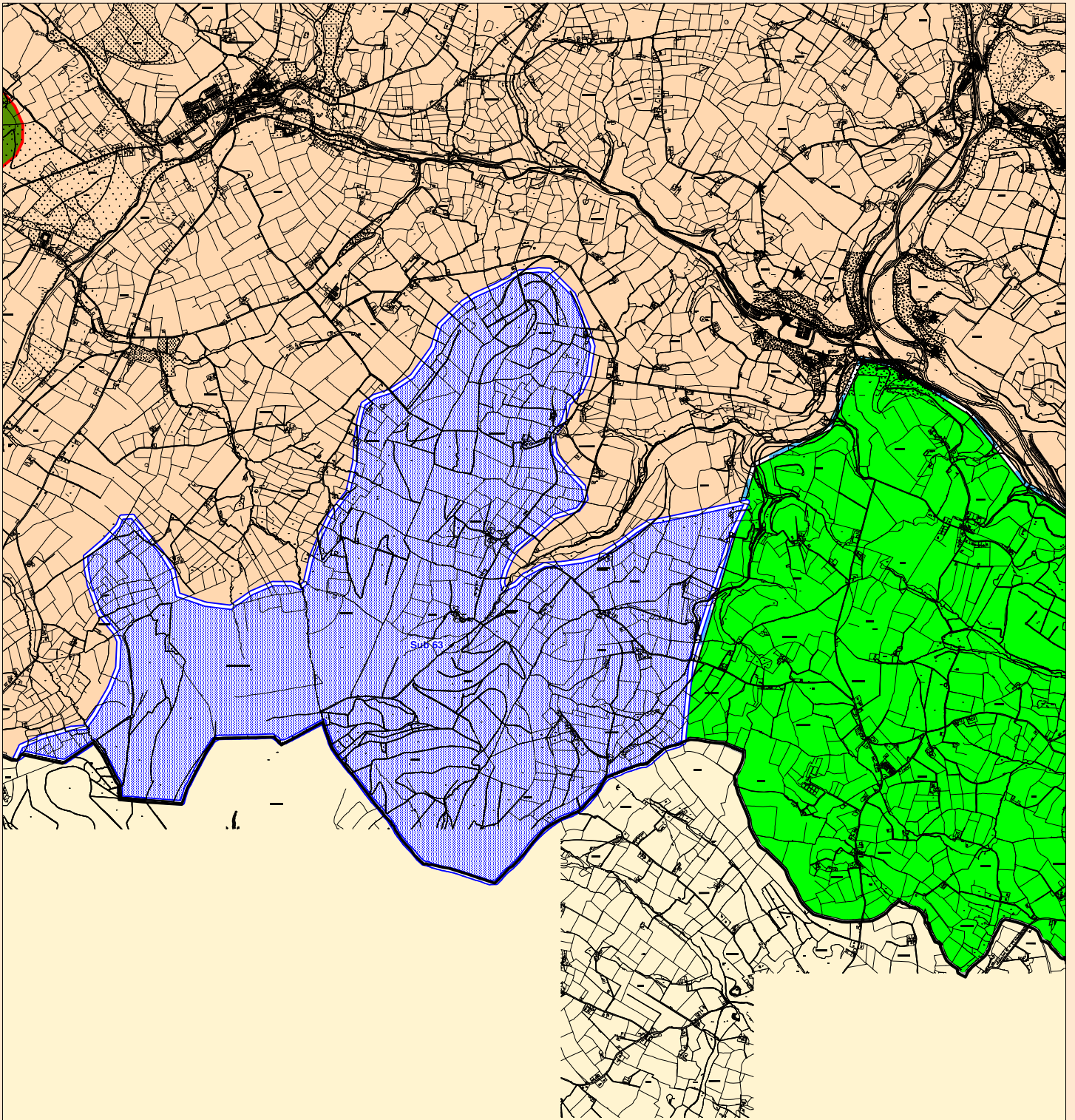
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Amend the plan as follows:

#### **Volume 2 Wind Energy Strategy**

Amend map as shown attached

## Submission 63 Wind Energy Maps



Submission 63 Boundary/Area

### LEGEND



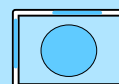
Most Favoured



Less Favoured



Not Favoured



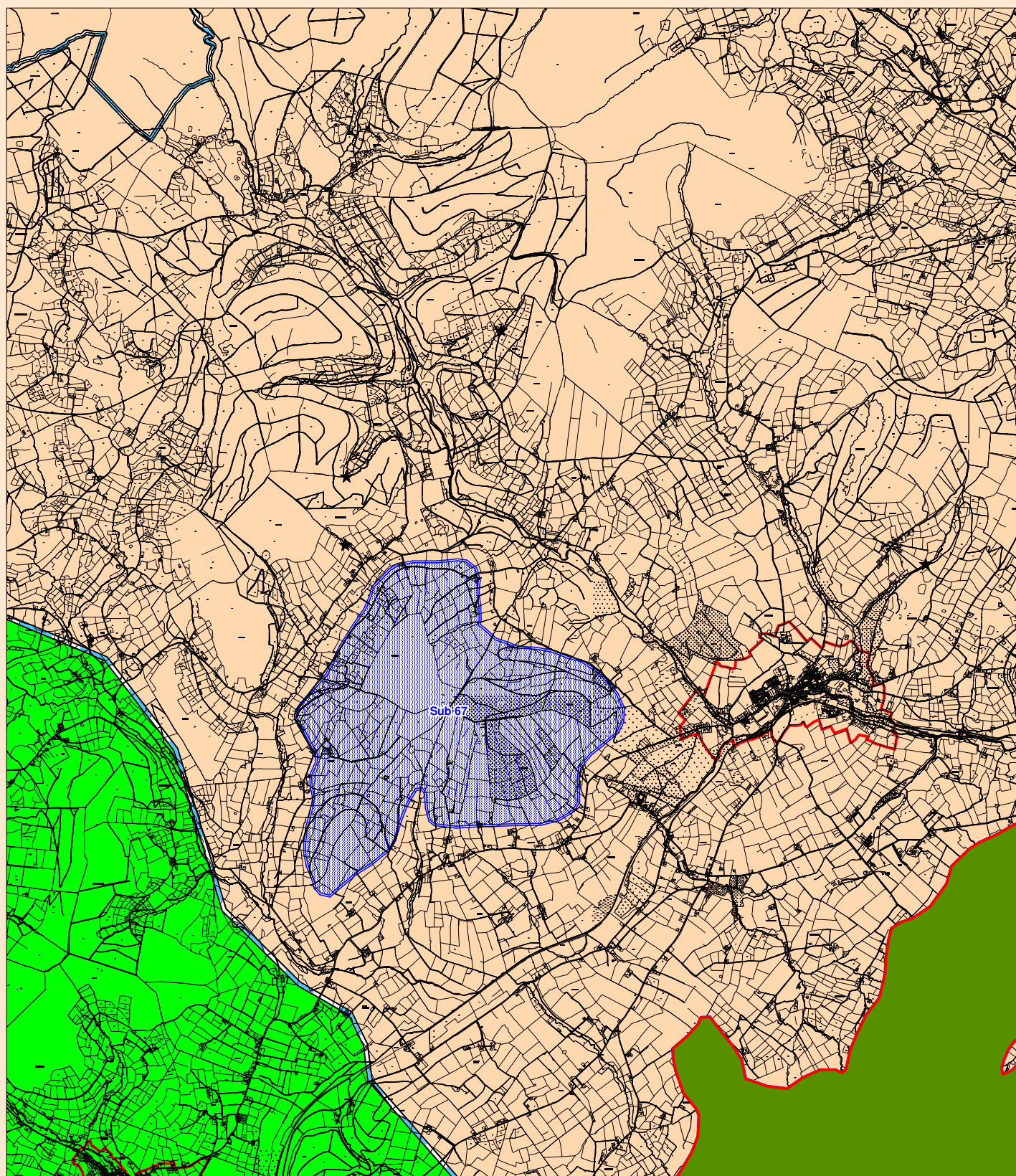
Areas identified in Table 1



Towns



## Submission 67 Wind Energy Maps



Submission 67 Boundary/Area

### LEGEND



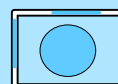
Most Favoured



Less Favoured



Not Favoured



Areas identified in Table 1



Towns

# Areas of Wind Energy Development Potential Amendments



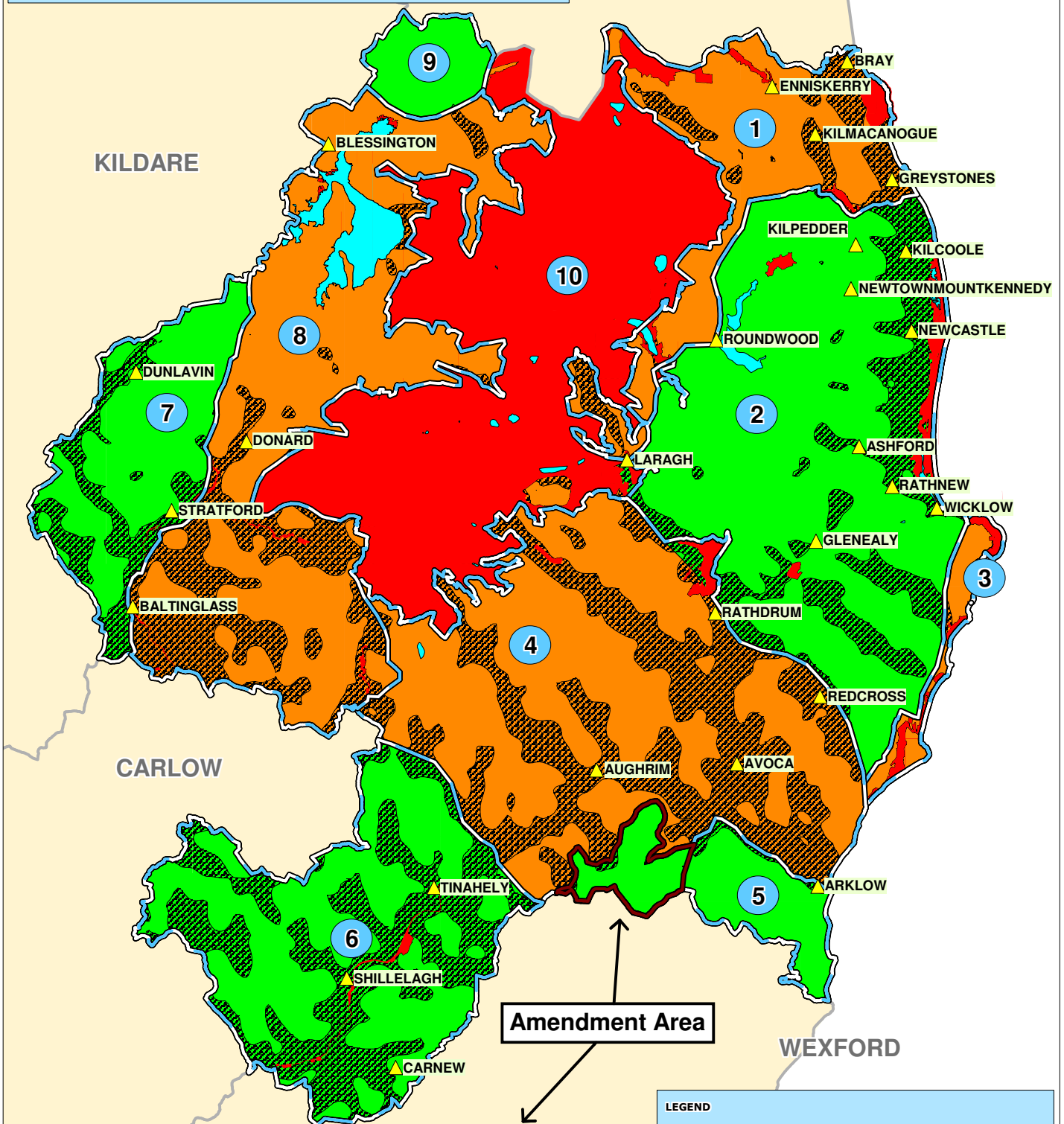
Map No. 05

DUBLIN

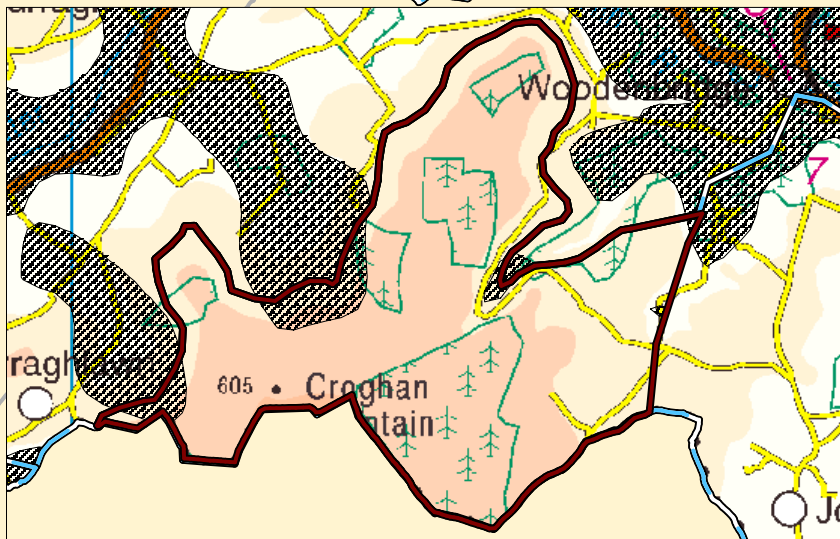
KILDARE

CARLOW

WEXFORD



Amendment Area



## LEGEND

- Most Favoured
- Most Favoured
- Less Favoured
- Not Favoured
- Areas identified in Table 1
- Towns

**CHAPTER 15     SOCIAL AND COMMUNITY INFRASTRUCTURE (INCLUDING OPEN SPACE)**

**TOPIC 1 :         GENERAL**

**Summary of issues raised**

96	Paul Leahy	i. The plan should continue to promote the development of voluntary groups and sectors within the County ii. The plan should encourage transition town movement, community gardens, local culture and craft making within the County.
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**Manager's opinion**

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It is considered that the objectives set out in Chapter 15 relating to Social and Community Infrastructure adequately facilitate and promote the development of existing / new voluntary groups / sectors, community garden / allotments and other cultural / community projects.

**Manager's recommendation**

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No change

**TOPIC 2: EDUCATION**

**Summary of issues raised**

40	Comhairle Na nOg	i. Objective ED1: Add to end of objective - When zoning land for the provision of schools consideration will be given to the ability for students to access the schools by foot or bicycle. ii. Objective ED5: Add to end of objective - Including the development of full time tertiary vocational and academic courses on campus.
90	Kilcoole Community Development Association	Community and Education: The existing educational facilities within Kilcoole are currently at capacity with an urgent need for the provision of additional classrooms to accommodate the projected population growth of the area.
96	Paul Leahy	Further educational facilities should be provided in accordance with the specific demand of the local population.

**Manager's opinion**

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1. The term 'suitable lands' has been used in this objective in order to ensure that any proposals for new schools are provided on lands, that are located in so far as possible in close proximity to the resident population they are intended to serve. This in turn facilitates and promotes the use of alternative more sustainable modes of transport as an alternative to the private car, such as walking or cycling. While objective ED1 does not specifically make reference to accessibility it is considered that the wording meets this goal
2. It is considered that the additional wording proposed relating to objective ED5 is acceptable and should be included in the plan as follows:
3. The Kilcoole LAP has made provision for the extension of the secondary school and another two potential primary school sites. The responsibility for providing schools on these sites lies with the Department of Education and Science.
4. In the drafting of local plans, the Planning Authority consult with the Department of Education and Science regarding the education needs of that town and its environs. Lands are routinely zoned for new / expended schools. The responsibility for providing schools on these sites lies with the Department of Education and Science.

**Manager's recommendation**

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**Amend the plan as follows:**



**Chapter 15, Section 15.3.1 Education & Development**

Amend Objective ED5

**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.

**TOPIC 3: HEALTH CARE DEVELOPMENT FACILITIES**

**Summary of issues raised**

28	William Burke	This submission relates to lands measuring c. 7ha located at Ballinahinch Lower, Newtownmountkennedy. It is proposed that the subject lands be zoned for healthcare purposes in order to accommodate a continuing care community campus (to include a nursing home, sheltered housing, independent and assisted living units and community facilities such as recreational, retail, leisure and medical facilities).
55	Devereaux family	It is requested that additional lands comprising 6.5 hectares should be included in the development boundary for Kilpedder and that these lands be designated for employment and nursing home / retirement housing uses.
84	Bernard Keating	This submission requests the extension of the boundary of the small village of Askanagap to include c. 50 hectares of land to the north / north-east of the village to be used for a low density eco village or for retirement homes and a nursing home.
87	John Kelly	This submission relates to lands located at Kilquade village measuring c. 7.16 hectares. It is requested that the lands be zoned in order to facilitate the provision of a Continuing Care Retirement Community (nursing home, an assisted living program, independent living apartments, adult homes and enriched housing)
88	John Kelly & Niall Power	This submission appears to relate the same lands as submission 88 above. (It is indicated that Mr. Kelly owns the property 'Hunter's Moon, while Mr. Power owns the adjacent Garden Centre)
133	Mervyn Smith	This submission requests that lands measuring 0.9 ha / 2.3 acres located on the R750 coast road, to the north of the Blainroe Lodge (First Care Nursing Home) be zoned for a Health care facility / Continuing Care Community
146	Treasury Holdings	The submission acknowledges the inclusion of Section 15.3.2.1 and the objectives there under however it is considered that the plan should allow for greater flexibility in relation to the location of such facilities.

**Manager's opinion**

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The objectives set out in Section 15.3.2. 'Health, Care & Development facilities' are considered to be sufficiently flexible in order to direct developments of this nature into appropriate locations whereby potential residents can easily avail of existing facilities and services within the town or village. It is therefore not considered necessary to zone specific sites for healthcare / retirement use.

**Manager's recommendation**

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No change

**TOPIC 4: FACILITIES FOR CHILDREN & YOUNG ADULTS**

**Summary of issues raised**

33	L. Cameron	It is suggested that there should be an improvement and extension of amenities and recreational facilities with particular reference to children's play facilities and parking.
40	Comhairle Na nOg	iii. Add new objective CP5: Children and young people will be consulted on these facilities whenever feasible and practicable. iv. New Objective TY5 to be added: Young people, including Comhairle na nOg will be consulted on these facilities whenever feasible and practicable.
159	Construction Industry Federation	It is suggested that the local authority should not impose any obligation on planning applicants to provide childcare facilities unless there is a requirement for such a facility.

**Manager's opinion**

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1. Section 15.3.3.1 'Children's Play facilities' sets out a number of objectives aimed towards the improvement and extension of amenities and recreational facilities with a particular reference to children's play facilities. It is considered that these objectives will facilitate the future development of such play facilities in tandem with the overall development of towns and villages.
2. The statutory processes for both forward planning and development management allow opportunities for input from the general public through consultation meetings/submissions to plans or planning files. It is considered that this process allows for adequate opportunities for community involvement in such projects and therefore it is not considered necessary to include the wording suggested by Comhairle na nOg in the plan.
3. The plan does allow a 'derogation' of the childcare facility requirements where it can be demonstrated that having regard to the existing geographic distribution of childcare facilities and the emerging demographic profile of the area that this level of childcare facilities is not required

**Manager's recommendation**

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No change

TOPIC 5: SPORTS & RECREATION

Summary of issues raised

40	Comhairle Na nOg	<p>i. Add text to Objective SR3 as follows:</p> <p>Facilities for sports shall normally be located close to towns or villages, <b><i>and conveniently accessible by both public and private transport, bicycle and on foot from nearby residential areas</i></b> on designated Active Open Space land. All efforts will be require to be made to locate new sports facilities close to existing community facilities, schools or areas of dense residential development. The Council may consider providing sites for these purposes or may be prepared to make financial or other assistance available, subject to reasonable access being made available to the public and to reasonable safeguards for the continued use of the land as open space.</p> <p>ii. Add new objective SR6 as follows:</p> <p><b><i>SR6: Existing sports and recreational facilities will be actively discouraged from relocating to spaces outside urban areas, or into areas that are not conveniently accessible by both public and private transport, bicycle and on foot from nearby residential areas.</i></b></p>
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Manager's opinion

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1. The new text suggested for Objective SR3 is not considered necessary at it is clearly stated that "all efforts will be require to be made to locate new sports facilities close to existing community facilities, schools or areas of dense residential development" which will facilitate better access by foot and bicycle. Furthermore, given the lack of public transport services in most parts of the County, outside of Bray and Greystones, requiring new sports facilities to be located where they can available of public transport would effectively result in no new facilities being provided in the remainder of the County. It is unlikely that this was the intention of the suggestion.
2. The new objectives suggested are considered reasonable, as there has been a trend for sports facilities to move outside of town to allow their lands to be redeveloped.

**Manager's recommendation**

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Amend the plan as follows:

**Chapter 15, Section 15.3.3.4 Sports Facilities**

Add new objective

**SR6** Existing sports and recreational facilities will be actively discouraged from relocating to spaces outside urban areas, or into areas that are not conveniently accessible by their potential users.

**TOPIC 6: CULTURAL FACILITIES**

**Summary of issues raised**

40	Comhairle Na nOg	Add new objective CA5 as follows:  <i>CA5: To encourage youth arts and music through the creation and display of works of art of interest to, and by young people and the facilitation of youth music in public spaces.</i>
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**Manager's opinion**

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It is considered that objective CA2 already facilitates the display of such works and therefore there is no need for an additional objective to be included.

**Manager's recommendation**

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No change

**TOPIC 7 :        OPEN SPACE**

**Summary of issues raised**

40	Comhairle Na nOg	i. Objective OS5 should be added: OS5: To encourage developers to maintain open space. ii. Objective OS6 should be added: OS6: Lighting of open spaces should be sufficient to ensure that the surrounding environment, traffic and other obstacles are clearly visible to people using
90	Kilcoole Community Development Association	It is stated that there is an existing shortage of open space/dedicated community lands within the Kilcoole area at present. The need for the future development of such facilities is of utmost importance to the sustainable future development of the area and therefore the play policy of Wicklow County Council must be implemented immediately.
96	Paul Leahy	The plan should encourage community gardens, which should be provided for on Council property.

**Manager's opinion**

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1. Comhairle Na nOg (i): While the rationale behind the proposal for this objective to be included in the plan is noted, it is not considered necessary to include such an objective as this issue is dealt with through the development management and compliance processes. When permission is granted for development, the developer must maintain the opens space until it is taken in charge by the Local Authority.
2. Comhairle Na nOg (ii): It is noted that in Section 15.4 'Open Space objectives' the objectives set out do not state that all open spaces should be provided with environmentally friendly lighting in order to ensure there safe usage. It is considered that there is particular merit in this suggestion and therefore additional wording to objective OS5, which reads as follows, should be included in the plan
3. Submission No. 90 relates specifically to the Kilcoole Local Area where a Local Area Plan was recently adopted. As part of this process an assessment of the needs of the existing and projected population was carried out which included an assessment of the local community facilities and open space needs. The Local Area Plan following this analysis and consultation with local community groups and clubs designated suitable lands within the plan area capable of accommodating the projected population for the area. It is considered that this issue has therefore already been dealt with and is not a matter for the County Development Plan.



4. The objectives set out under Section 15.4 of the plan aim to facilitate the development of allotments of an appropriate scale on lands subject to a number of criteria. Given the strategic purpose of the County Development Plan it is considered that the objectives set out regarding 'allotment gardens' adequately facilitate the development of such proposals. It is not within the scope of this plan to commit Council property to such usage

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**Manager's recommendation**

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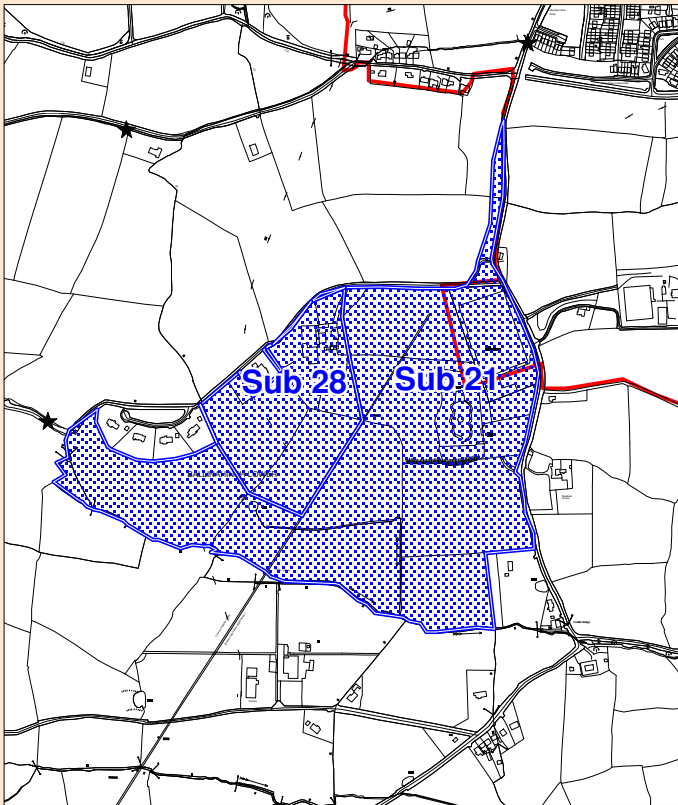
**Amend the plan as follows:**

**Chapter 15, Section 15.4 Open Space**

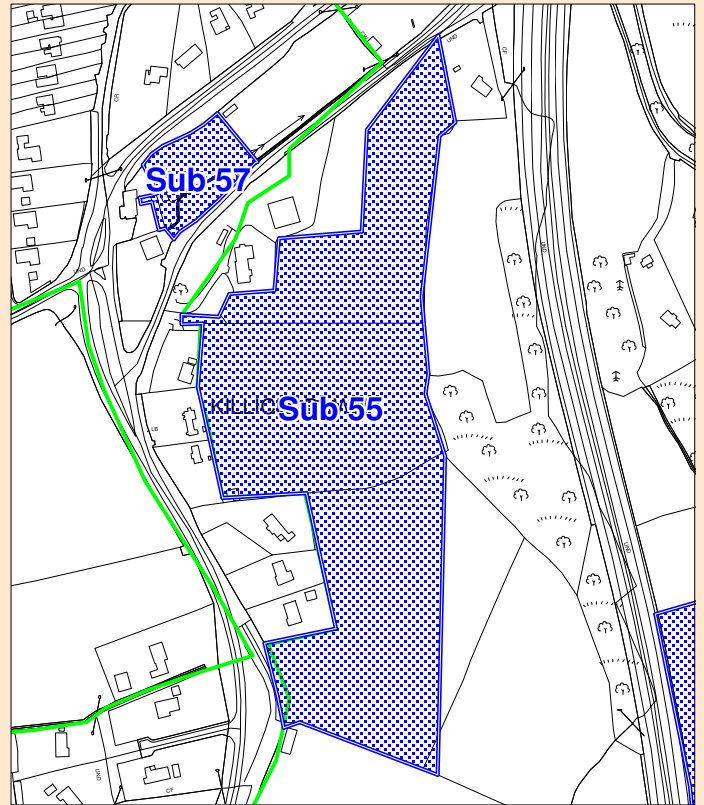
Add new objective

**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.

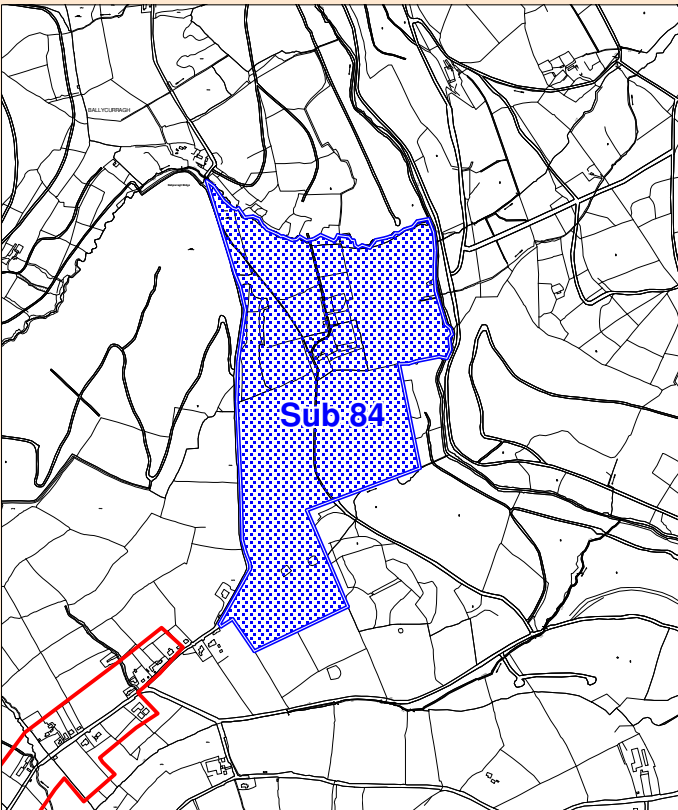
## A) Submissions proposing Health/Retirement Housing



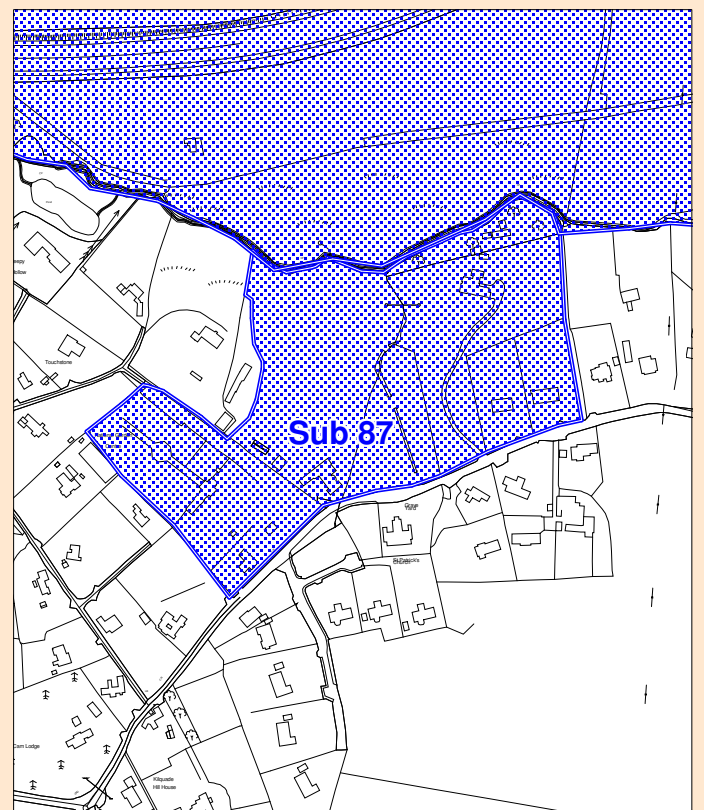
**Sub 28 - South West of NTMK Boundary**



**Sub 55 - Kilpedder/Willowgrove**



**Sub 84 - Askanagap**



**Sub 87 - Kilquade**



## B) Submissions proposing Helath/Retirement Housing



Sub 133 - Blainroe Wicklow



**SECTION E      HERITAGE**

**CHAPTER 16      BUILT HERITAGE**

**TOPIC 1:          RECORD OF PROTECTED STRUCTURES**

**Summary of issues raised**

46	Sean & Maura Crowley	<p>This submission relates to the proposed addition of a thatched dwelling (ADD5) in Delgany.</p> <p>It is requested that the dwelling would not be added to the protected structure list due to the problems regarding maintenance and the extra financial costs associated with a thatched dwelling. In addition it is suggested that the existing dwelling is not of traditional thatch and therefore does not merit protection.</p>
51	Eamon de Buitlear	<p>i. It is requested that Stylebawn House be added to the protected structure list due to its architectural and site location merits.</p> <p>ii. It is suggested that there is an error with the building address for RPS ADD5 and that the dwelling proposed is not "the first house north on junction with regional road" that it is in fact "second house on Bellevue Hill road north of the junction with the regional road".</p>
103	Edward McHugh	<p>This submission relates to the proposed addition of a building (PA132) to the record of protected structures.</p> <p>It is requested that the subject building which is located in the townland of Trooperstown would not be added to the protected structure register, as the site is a proposed location for a dwelling for a family member of the landowner.</p>
119	Norman Plant & Lily Farrar	<p>The submission relates to the addition of two buildings to the protected structure register (PA60 Muckduff Lower &amp; PA45 Castlequarter). It is requested that the subject buildings would not be added to the protected structure register as the owner of these buildings is recently deceased and there is issues regarding the ownership of these structures.</p>
126	River Vartry Protection	<p>It is contended that the description of Nun's Cross Bridge is incorrect and should read as follows: "free standing, narrow triple arch bridge over the River Vartry c. Early 1700 with</p>

		original arch intact".
130	Michael Ryan	<p>The submission relates to the addition of "ADD2" - Nuns Cross Bridge, Ashford</p> <p>It is suggested that the bridge would not be added to the register of protected structures because of the following issues:</p> <ul style="list-style-type: none"> <li>- The existing bridge is an impediment to the free flow and safety of traffic movements</li> <li>- The addition of the bridge to the register would prevent major works being undertaken at the bridge and as a result a new route would have to be developed which would involve purchasing land and higher construction costs</li> <li>- There is no existing architectural merit of the structure, it was not listed in the 2001 or the 2008 Local Area Plans. The bridge is not listed in the National Inventory of Architectural Heritage.</li> <li>- It is considered that viability of Action Area 9 will be impacted upon if the bridge is added to the register of protected structures, the surface and storm water discharges from this area and it is proposed to discharge to the Vartry River at Nuns Cross Bridge. There is no alternative discharge point other than at Nuns Cross Bridge</li> </ul>
161	Mary Fanning	This submission relates to the addition of "ADD6" - Foresters Hall, Aughrim. It is suggested that the building does not have any architectural merit and that it should not be added to the register of protected structures.
162	Aughrim Parish Council	This submission relates to the addition of "ADD6" - Foresters Hall, Aughrim. It is suggested that the building does not have any architectural merit and that it should not be added to the register of protected structures.
163	Sacred Heart National	<p>This submission relates to the addition of "ADD6" - Foresters Hall, Aughrim. It is suggested that the building should not be added to the protected structure register for the following reasons:</p> <ul style="list-style-type: none"> <li>- The existing building is in poor condition and can no longer be used as a hall by the local national school as a result the local parish intended to sell this building to</li> </ul>

		finance the construction of a new hall for the local school. - Suggested that if the building was added to the register it would curtail the sale of the building.
164	Jeremiah O'Brien	The submission relates to the addition of "ADD6" - Foresters Hall, Aughrim. It is suggested that the building should not be added to the protected structure register for the same reasons as Submission 163 above.
165	John Cummins	The submission relates to the addition of a house and farm complex under "PAO1". The submission queries that if the building is protected can work be carried out on the structure to make it habitable in the future.
166	Lois Moody	The submission relates to the addition of an individual residential unit and farm complex under "PA 60". It is stated that there is no intention to change any part of the building except repair the buildings when necessary.

#### Manager's opinion

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#### 1. AAD2 – Nun's Cross Bridge

It is agreed that the description of the bridge should be amended in line with submission 126 as *"Free standing, narrow single arch bridge over the river Vartry c. early 1700 with original arch intact"*

In relation to submission 130 it is considered that this bridge is worthy of protection as it is an excellent example of its kind, with an original arch intact. The purpose of listing a building or structure is not to freeze it forever in time, but to ensure that those intrinsic qualities that make it worth keeping for future generations are preserved. Therefore alterations to the bridge for infrastructural / traffic safety reasons would not be precluded, but would have to be carried out in a sensitive manner.

#### 2. AAD5 – Thatched cottage, Delgany

On further consideration and inspection it is considered that the building does not contain traditional thatch and should not be added to the register.

#### 3. AAD6 – Forester's Hall

On further consideration and inspection it is considered that the building is not of sufficient architectural / historical merit for it to be added to the register.

#### **4. PA01 – Oldcourt Lower, Talbotstown**

While this submission only raised a question regarding the type of works that would be impacted by the designation, the proposed addition has been reconsidered and it is considered that the buildings are not of significant architectural merit and therefore it is recommended that this would not be added to the register.

#### **5. PA132 - Trooperstown**

On further consideration and inspection it is recommended that the building would not be added to the register. The building is in a ruinous state and it would allow more flexibility in its redevelopment if it were not on the register.

#### **6. PA45 - Castlequarter**

In relation to the addition of building PA45 it is considered that the building does have architectural merit and should be added to the protected structure register as it is an excellent example of a more formal farmhouse of symmetrical design.

#### **7. PA60 – Muckduff Lower**

In relation to the addition of complex PA60, on further analysis the building forms part of a complex of buildings in which some of the buildings are of good quality and some are of poor condition, therefore it is considered appropriate to omit this from the proposed register until further survey is carried out

#### **7. Stilebawn House**

It is considered appropriate that Stylebawn House would be added to the register as it is considered to have significant architectural merit. Stylebawn House is listed on the NIAH website and described as *“Unusual T-plan house of 1773 with large early to mid 19th-century extensions and later 19th-century details. The building has an intangible Arts & Crafts feel, an impression enhanced by its well wooded undulating grounds”*.

#### **Manager's Recommendation**

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Amend the plan as follows:

Schedule 16.3A

1. Amend description on record “RPS ADD2” Nuns Cross Bridge, Ashford

*"Free standing, narrow single arch bridge over the river Vartry c. early 1700 with original arch intact"*

2. Add "Stylebawn House" to the protected structure register with the following description:

*Unusual T-plan house of 1773 with large early to mid 19th-century extensions and later 19th-century details. The building has an intangible Arts & Crafts feel, an impression enhanced by its well wooded undulating grounds. This designation includes the entire curtilage of the house including the walls and entrance ways, outbuildings and gardens.*



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

- ADD5 – Thatched cottage, Delgany
- ADD6 – Foresters' hall, Aughrim
- PA01 – Oldcourt Lower, Talbotstown
- PA60 – Muckduff Lower
- PA132 – Trooperstown



TOPIC 2:           ARCHAEOLOGY

Summary of issues raised

85	Keep Ireland Open	<p>i. It is requested that objective AR4 be amended as follows:</p> <p><b>AR4</b></p> <p><del>To facilitate public access to National Monuments in State or Local Authority care as identified in Schedule 16.2 (Volume 2) of this plan</del></p> <p><i>The Council recognizes the importance of archaeology and National Monuments as an important facility for recreation and tourism will provide public access to Archaeological sites and National Monuments in state care, council or private ownership and all traditional access routes will be designated as public right of way. In other cases the Council will acquire the routes, either by agreement with landowners or way of compulsory powers. Appropriate signage will be put in place.</i></p> <p>ii. It is suggested that the following objective be included "To promote and campaign for the designation of the Glendalough Monastic Settlement as a UNESCO World Heritage Site".</p>
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Manager's opinion

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- i. It is stated in Objective AR4 that the Local Authority will facilitate the provision of public access to National Monuments in State or Local Authority care. However, it has previously been determined that it is not appropriate for the plan to commit to providing access over private land. The inclusion of ROWs in the County Development Plan was previously considered during the course of both the 1999 and the 2004 County Development Plans and it was decided not to include ROWs in either plan. After the adoption of the 2004 plan, a committee was set up to investigate this matter further and it was determined that inadequate information was available draw up a comprehensive or accurate list and that legal difficulties were likely to arise regarding the validity of certain ROWs, land ownership issues etc. One of the outcomes of the investigation

carried out into ROWs was the determination that there would be more benefit for recreational users in Wicklow to pursue an 'agreed access' approach in conjunction with landowners, users and other stakeholders. In this regard, the 'Wicklow Countryside Access Service' a joint project of the Wicklow Rural Partnership and the Wicklow Uplands Council was established. The function of the project is to establish a network of access routes, on private lands in the Wicklow by means of voluntary agreements with private landowners. The project is supported financially by Comhairle na Tuaithe, Wicklow County Council, Wicklow Rural Partnership and Wicklow Uplands Council.

- ii. The Local Authority would welcome the designation of Glendalough Monastic Settlement as a UNESCO World Heritage Site however it is outside the remit of the Development Plan to campaign for this designation. At the moment the Glendalough Monastic site is on the tentative list of potential nominees to the World Heritage List.

#### **Manager's Recommendation**

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No change

**TOPIC 3: HISTORICAL & CULTURAL HERITAGE**

**Summary of the issues raised**

85	Keep Ireland Open	It is suggested that Section 16.5 "Historical & Cultural Heritage" should include a provision that there is access to all sites.
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**Manager's opinion**

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The issue of access is addressed under Topic 2 above.

**Managers Recommendation**

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No change

**CHAPTER 17: NATURAL HERITAGE**

**TOPIC 1: CHAPTER INTRODUCTION**

**Summary of issues raised**

85	Keep Ireland Open	<ul style="list-style-type: none"><li>i. It is suggested that there should be reference to reviewing the current Heritage Plan during the lifetime of the County plan.</li><li>ii. It is suggested that the main objectives of the Heritage Plan should be listed in the introduction of the Natural Environment chapter.</li><li>iii. It is suggested that the following objective would be added, "To implement the key objectives and associated actions identified in the county heritage plan".</li></ul>
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**Manager's opinion**

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Chapter 17 makes clear reference to the County Heritage Plan. The Heritage Plan is a five-year strategy and will be reviewed under its own process. The Heritage Plan is a countywide strategy and action plan, initiated and led by Wicklow County Council, but involving the partnership of various other statutory and non-statutory bodies for its implementation. The Heritage Plan is a stand-alone document but the County Development Plan takes cognisance of the plan and it is considered that this is sufficient. It is considered that it would be cumbersome and would duplicate the list of objectives of the Heritage Plan in the objectives in the County Development Plan.

**Managers Recommendation**

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No change

**TOPIC 2: BIODIVERSITY**

**Summary of issues raised**

51	Eamon de Buitlear	It is suggested that there should be a specific objective in the plan recognising the following river valleys - Vartry, Avoca, Liffey, Dargle and Three Trout Stream as 'green corridors', which would promote the biodiversity and amenity of these areas.
68	European Club	It is suggested that the wording of Objectives BD3 and BD5 should be amended. It is suggested that sites which are proposed SAC's, SPA's and NHA's should not be referenced in the development plan as they have not been confirmed by the Minister or the Wildlife Act.
71	Forest Friends Ireland	It is suggested that environmental designations should be improved in order to protect the Glencree Valley from adverse developments
145	The Campaign For Sustainable Rural Housing	It is requested that there be a presumption against single dwellings in or near the Natura 2000 sites i.e. SACs or SPA's and that all developments in these designated sites are subject legally to an Appropriate Assessment.

**Managers Opinion**

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It is considered that it is appropriate that the Development Plan contains reference to pSAC's /pSPA's and pNHA's in the draft plan as these proposed sites have legal protection under the "Natural Habitats Regulations 1997, S.I. 94/94 and European Directives. Under the Wildlife Amendment Act (2000) NHAs are legally protected from damage from the date they are formally proposed for designation. It is not within the remit of Wicklow County Council to confer EU / national designation to any area but this plan does designate the Glencree area an Area of Outstanding Natural Beauty, which has the highest degree of protection that the plan has to offer.

The draft plan clearly sets out the position with regard to Appropriate Assessment for projects likely to impact on Natura 2000 sites. Any application for development, including single houses, that may impact on such sites have to undergo rigorous assessment and where impacts are identified, can only be permitted for reasons of overriding public interest. It is not therefore considered necessary to state a presumption against single houses in particular, as this provision affects all development.

The plan does not specifically designate particular river valleys as 'green corridors' although it does set out a number of objectives with regard to the protection of rivers (there are some 'green corridors' along rivers identified in some local plans, such as the Greystones – Delgany LAP which recognises the Three Trouts Stream). However, in response to this and other submission, it is recommended that the plan address 'green infrastructure' generally.

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### **Manager's Recommendation**

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**Amend the plan as follows:**

#### **Chapter 17, Add new Section after Section 17.6 Geology**

##### **17.7 Green Infrastructure**

To ensure the protection, enhancement and maintenance of the natural environment and recognise the economic, social, environmental and physical value of green spaces through the development of and integration of Green Infrastructure (GI) planning and development in the planning process.

##### **Objectives**

- 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.
- 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

**TOPIC 3: WOODLAND, TREES AND HEDGEROWS**

**Summary of issues raised**

51	Eamon de Buitlear	It is suggested that trees in the grounds of Stylebawn House, trees along the roadside boundary of R761 and along its boundary with Blackberry Lane in Delgany village should be included in Table 17.6 'Trees and Groups of Trees to be considered for Preservation'.
71	Forest Friends Ireland	It is suggested that the natural hedgerows be examined with a view to their renewal and augmenting their role in re-establishing wildlife corridors linking areas to forests.
85	Keep Ireland Open	It is suggested that there should be an objective similar to the following: <i>It is the policy of the Council to seek the co-operation of Coillte and other agencies and landowners where appropriate, in the establishment of access ways, bridle paths, nature trails and other recreational facilities within forest and woodland area</i>
123	Purser Tarleton Russell	It is put forward that trees which are in commercial forests, have management plans and therefore are controlled by these plans. In relation to trees identified in Map 17.06, ID 13, it is stated that these trees have adequate protection under the current management plan of the forest in which there is a general felling license in place (GFL 7916) until 2014.
145	The Campaign For Sustainable Rural Housing	It is suggested that there should be an objective relating to the preservation of hedgerows

**Manager's opinion**

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A 'tree audit' was not carried out as part of this review of the County Development Plan, due to lack of resources. Until such further study can be carried out, it is not recommended that further trees be added to the schedule. However, the plan clearly discourages the felling of trees of amenity value (WH3).

In relation to submission 123 it is accepted that commercial forests have management plans in place and it is not the objective of the Local Authority to interfere with the operation of these commercial forests. It is the objective of the Local Authority to safeguard specific trees or group of trees with tree preservation orders or to identify trees considered for preservation.

The preservation of hedgerows is already an objective of the plan (WH6).

The remit of 'Keep Ireland Open' is to facilitate public access to various amenity areas. While it is agreed that improved access would improve recreational opportunities, this must be balanced against the rights of landowners. Furthermore, this plan needs to have realistic objectives that can be implemented. At this time, the Local Authority is not in a position to commit to investigating the establishment of access ways, bridle paths, nature trails and other recreational facilities within forest and woodland area in cooperation with other stakeholders; no investigations have carried out to date into the feasibility or cost of same nor is there any indication that resources would be available for such a project. Inclusion of objectives that are unlikely to happen undermines the confidence in, and effectively weakens, other objectives in the plan.

#### **Manager Recommendation**

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No change



TOPIC 4: WATER SYSTEMS

Summary of issues raised

85	Keep Ireland Open	<p>It is requested that Objective WT5 be amended as follows:</p> <p><b>WT5</b></p> <p><del>To promote the development of riverine walks and parks, subject to the sensitivity and/or designation of the riverside habitat</del></p> <p><i>a. Lands adjacent to river banks and lakes will be reserved for public access and the council will create linear parks to facilitate walking/cycling routes.</i></p> <p><i>b. A riparian corridor of at least 10 metres on both sides along waterways to provide for amenities, walkways and recreation</i></p> <p><i>c. In partnership with the National Park and Wildlife service, Waterways Ireland and other relevant stakeholders to facilitate public access to, and understanding of, waterway corridors and wetlands where feasible and appropriate.</i></p> <p><i>d. Require that development proposals along rivers set aside land for pedestrian routes that could be linked to the broader area and any established settlements in their vicinity. Where lands along waterways are in private ownership it shall be policy in any development proposal, to secure public access along the waterway.</i></p> <p><i>e. To maintain and enhance the natural character of rivers and to promote public access for recreational purposes including walkways.</i></p>
126	River Vartry Protection Society	<p>i. It is requested that the introductory paragraph place greater emphasis on river systems in particular the Rivers Dargle and Vartry as these river systems are designated and protected as Salmonid Waters under the EU (SI no. 293 of 1988). It is suggested that the Vartry River is deemed to be of more critical importance than the Dargle River as it comprises all of the spawning grounds of Salmon.</p>

		<p>ii. Objective WT1 should be amended as follows:</p> <p>To implement the EU Water Framework Directive <b><i>the Eastern Region River Basin Management Plan with all its River Water Bodies Management Units</i></b> 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 <b><i>of the conditions of the water body including reduced flow and quality</i></b> in water quality.</p> <p>3. It is requested that an additional objective be included in the plan as WT6:</p> <p><b><i>WT6 To implement the Eastern Region River Basin Management Plan and all of the Management Units as they apply to each of the River systems in Wicklow.</i></b></p>
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#### ***Manager's Opinion***

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While the suggestions made by 'Keep Ireland Open' would contribute to access to and understanding of water systems, this plan needs to have realistic objectives that can be implemented. The plan therefore will not reserve private land for public access or commit the Local Authority to providing public parks along rivers, on land that is not in its control and with no funding source available. Where permission is sought for development in proximity to river and water bodies, the Council will implement the objectives of this plan, particularly Objectives WT1-5 which will adequately protect such water bodies and provide some access thereto where possible.

With regard to riparian corridors, it is agreed that a 10m set back is required for all development from river banks, but in accordance with the guidance from the NPWS and ERFB, such lands are to remain undisturbed and not for recreational purposes (please see submission from the ERFB earlier in this document).

The issue of the River Basin Management Plans and the status of the Vartry and Dargle systems was raised previously in this report by the ERFB and Environmental Protection Agency. The protection of the Slaney, Vartry and Dargle systems is specifically included in the ERBD and SERBD and it is considered sufficient that the implementation of these plans be an objective of the County Development Plan.

## Manager's recommendation

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Amend the plan as follows:

Amend Section 17.2.3 as follows (Note: Some of the changes set out here are also on foot of other submissions, notably submissions No. 6 from the ERFB and No. 7 from the EPA)

### Objective WT1

**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.

### Section 17.5

**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"*

**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.

**TOPIC 5: GEOLOGY**

**Summary of issues raised**

80	Irish Concrete Federation	Chapter 17 should make specific reference to the Geological Heritage Guidelines for the Extractive Industry.
85	Keep Ireland Open	It is requested that Objective GY3 be amended as follows: To facilitate <i>and promote</i> public access to 'Sites of Geological Importance', <i>on a legal and permanent basis</i> subject to appropriate measures being put in place to ensure public health and safety

**Managers Opinion**

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It is recommended elsewhere in this report that Objective EX4 (Chapter 8) be amended to include reference to the Geological Heritage Guidelines for the Extractive Industry.

The submission from KIO again relates to the Local Authority ensuring access to certain locations. This has been addressed previously. It is recommended that Objective GY3 should be amended to include the term "agreed access" which is the manner in which the Council will promote access.

**Manager's recommendation**

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Amend the plan as follows:

Chapter 17, Section 17.6 Geology

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.

TOPIC 6: RECREATION USE OF NATURAL RESOURCES

Summary of issues raised

43	Margaret Coogan	<p>This submission relates to objective AW3 "<i>To protect and promote The Wicklow Way and St. Kevin's Way as permissive way marked routes in the County. The Council shall work in partnership with relevant stakeholders in relation to management of these routes, and will protect them from inappropriate development, which would negatively infringe upon their use</i>".</p> <p>It is suggested that the wording at the end of objective AW3 "<i>and will protect them from inappropriate development which would negatively infringe upon their use</i>" should be deleted for the following reasons:</p> <ul style="list-style-type: none"> <li>- The wording effectively creates a different and extra planning zone around the walkway</li> <li>- The two walkways currently work well as permissive walkways and have done for some time through agreement with local landowners</li> </ul> <p>The wording will act as a disincentive for landowners as it may place extra restrictions on their lands.</p>
68	European Club	<p>This submission relates to objective AW2 "<i>The Council shall seek to promote access to amenity areas in the County for the benefit of all, on the basis of cooperation with landowners, recreational users and other relevant stakeholder groups to promote "agreed access" on public and privately owned land in the County on the basis of sustainability, consultation and consensus</i>".</p> <p>The submission states that it is unclear why the wording agreed access has been inserted with inverted commas. It is considered that the current policy in the 2004-2010 Development Plan as set out under HL23 should replace the wording of objective AW2 and that access routes should only be provided with the agreement of the landowners.</p>
85	Keep Ireland Open	<p>i. The wording on the first paragraph should be expanded to include the following words cycling, nature trails, bird watching, painting, photography, field studies, back packing, orienteering, para and hand gliding, caving, wild</p>

		<p>camping, pony trekking, boating and archaeological guided walks</p> <p>ii. It is requested that Objective AW2 should be amended as follows: which reads as follows:</p> <p><del>The Council shall seek to promote access to amenity areas in the County for the benefit of all, on the basis of co-operation with landowners, recreational users and other relevant stakeholder groups to promote "agreed access" on public and privately owned land in the County on the basis of sustainability, consultation and consensus</del></p> <p><b><i>The Council recognises the role played by Natural Amenities as a major resource for visitors and local people and will support and promote public access to coastal, mountains, rivers, lakes and other natural amenities</i></b></p> <p>iii. It is requested that Objective AW3 be amended as follows:</p> <p>To protect and promote The Wicklow Way and St. Kevin's Way as permissive waymarked routes in the County. The Council shall work in partnership with relevant stakeholders in relation to management of these routes, and will protect them from inappropriate development, which would negatively infringe upon their use. <b><i>The Council will examine both ways to determine whether any sections thereof have established public usage and designate such parts as public rights of way</i></b></p> <p>iv. It is requested that Objective AW4 be amended as follows:</p> <p><del>The Council will preserve the open character of commons land and similar hill land and secure access over paths and tracks through consensus with local landowners, particularly in mountain areas</del></p> <p><b><i>Where possible the Council will preserve the open character of commonage and other hill land and will secure access thereto. The Council will facilitate and promote freedom to roam thereon in consultation with landowners</i></b></p> <p>v. It is requested that Objective AW5 be amended as follows:</p> <p>To facilitate the development of a coastal walking and</p>
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	<p>cycling route between Greystones and Wicklow Town <b><i>on a legal and permanent basis.</i></b></p> <p>vi. It is requested that Objective AW6 objective be amended as follows:</p> <p><del>To implement the measures set out in the Bray Head SAAO (Special Amenity Area Order) and investigate the possibility of the designation of further SAAOs in the County (as shown on Map 17.08 (Volume 2) of this plan)</del></p> <p><b><i>To protect and enhance the character, heritage and amenities of the Special Amenity Area Order for Bray Head in accordance with the relevant Order and Implement the Management Plan as necessary in consultation with all relevant stakeholders</i></b></p> <p>vii. It is suggested that the following new objective be added</p> <p><b><i>To proceed with the designation of the Little Sugar Loaf and the Great Sugar loaf (as shown on Map 17.08-Volume 2) in accordance with the direction by the Minister for the Environment, Heritage and Local Government.</i></b></p> <p>viii. It is requested that the Council take the initial steps to have an area in the Dargle Valley (as shown on map 17.08-volume 2) designated as a SAAO.</p> <p>ix. It is suggested that the plan include an objective to carry out a feasibility study within one year of the adoption of the Plan, to report on areas which are considered to need special protection and that the Council will liaise with the Department of the Environment, Heritage and Local Government to facilitate that making of such orders.</p> <p>x. It is suggested that there has been an omission of "Golf Courses" in relation to rights of way and the Development Plan should include the following objective:</p> <p><b><i>Proposals for golf courses must not impinge on any right of way or walking route</i></b></p> <p>xi. It is suggested that Public Rights of Way should be</p>
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		included in the Development Plan and it should be included in the Appendix and the following routes should be included: a. Castleruddery, West Wicklow-access to fort site b. Glencree-Walk across upper part of valley-Collens land c. Curtlestown-Old Coach road d. Shillelagh-Graveyard at Balisland-old graveyard e. Near Lough Dan-Ballinrush Estate f. Hollywood-Old Path south of village g. Church Mountain
149	David J Walsh	In relation to Map 17.08 and the "Possible future SAAO" it is suggested that there is not enough protection given to areas that the proposed "SAAO" covers. There is specific reference to the SAAO of the Little Sugar loaf and currently there is a planning application within this area. There is concern that objectives relating to proposed "SAAO's" are not stringent enough to protect these areas.

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#### Manager's opinion

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##### Introduction to 'Recreation Use of natural resources'

It is considered that the introduction to Section 17.7 "Recreation use of natural resource" is appropriate - the list of activities which are included are for illustrative purposes only. The possible list of recreational uses that can be made of amenity areas is extensive and therefore it is considered warranted to list only a number of activities.

##### AW2 / Access routes in general

The inclusion of ROWs in the County Development Plan was previously considered during the course of both the 1999 and the 2004 County Development Plans and it was decided not to include ROWs in either plan. After the adoption of the 2004 plan, a committee was set up to investigate this matter further and it was determined that inadequate information was available draw up a comprehensive or accurate list and that legal difficulties were likely to arise regarding the validity of certain ROWs, land ownership issues etc. One of the outcomes of the investigation carried out into ROWs was the determination that there would be more benefit for recreational users in Wicklow to pursue an 'agreed access' approach in conjunction with landowners, users and other stakeholders. In this regard, the 'Wicklow Countryside Access Service' a joint project of the Wicklow Rural Partnership and the Wicklow Uplands Council was established. The function of the project is to establish a network of access routes, on private lands in the Wicklow by means of voluntary agreements with private



landowners. The project is supported financially by Comhairle na Tuaithe, Wicklow County Council, Wicklow Rural Partnership and Wicklow Uplands Council.

A variation to this effect was made to the 2004 County Development Plan and this has been carried forward into the draft plan. The wording of HL23 and AW2 is identical.

With regard to access and walking routes in general, the purpose of the plan is put in place a framework for further development either by the Local Authority or other agents but it cannot commit the Local Authority to developing or funding particular access routes, particular on private land over which it has no control. It should be noted however, that ROWs, or public easements, exist in their own right. Their inclusion or omission in the County Development Plan does not alter those rights.

### **AW3**

The wording of AW3 is considered reasonable as it aims to protect The Wicklow Way and St. Kevin's Way from development that would actually impact on the use of these routes but does not place restrictions on development in the vicinity of or surrounding these routes simply by virtue of their proximity if the development has no impact thereon. It was considered that the wording of the similar objective in the 2004 County Development Plan would actually overly constrain development in proximity to these routes even where no direct impact was created and the revised wording has been proposed to address this issue.

### **AW4**

It is considered that the wording of objective AW4 is appropriate as it provides adequate protection to the commons land and supports access to these areas through consensus of landowners involved.

### **AW5**

It is considered that the wording of objective AW5 is appropriate as it is not in the remit of the land-use plan to assert the legal basis of a walkway. The objective will facilitate the development of the walkway and cycleway on the basis of agreed consensus.

### **AW6**

The objective of a SAAO is to protect and enhance the designated landscape which the SAAO covers. It is the stated objective of the plan that the Bray Head SAAO will be implemented. Work has already commenced on the preparation of a SAAO for the Little Sugar Loaf and Great Sugar Loaf, with the completion of a detailed landscape assessment. The Local Authority now intends to move forward with the SAAO process as resources allow; a request from resources from the DoEHLG has no to date been addressed.

The designation of the Dargle River Valley as a SAAO is not recommended at this time; there are dozens of sites potentially as worthy as the Dargle Valley for SAAO and to consider all

such sites for such designation is not possible or a good use of limited resources where the extra protection given is marginal. It is therefore recommended that the Dargle Valley is removed from the list as a site to be considered for a future SAAO.

The designation of areas for special National or European protection is not within the remit of the County Development Plan but is a matter for the Department of the Environment Heritage and Local Government and the European Commission.

#### **Manager's Recommendation**

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No change

**TOPIC 7: LANDSCAPE & VIEWS /PROSPECTS**

**Summary of issues raised**

68	European Club	It is suggested that there should be a definition of the term 'Urban' with reference to the Landscape Character Map 17.09 which is contained in Volume 2
71	Forest Friends of Ireland	It is suggested that environmental designations should be improved in order to protect the Glencree Valley from adverse developments
145	The Campaign For Sustainable Rural Housing	<p>i. It is suggested that a landscape character assessment would be carried out to identify areas, which are sensitive to new developments.</p> <p>ii. It is suggested that all planning applications would be accompanied by detailed landscape plans and all applicants are requested to pay a development bond prior to the commencement of development which will be returned when the planting scheme has been implemented.</p> <p>iii. It is considered that new dwellings should be of appropriate in size and scale and functional within the local landscape.</p>
149	David J Walsh	<p>i. It is suggested that the view from the rock outcrop at Kindlestown Wood over Rathdown and Redford should be listed.</p> <p>2. It is suggested that the "corridor area" as illustrated on Map 17.09 B encroaches into the rural areas of Kindlestown Heights and Farrankelly, there is concern that these "corridor areas" could be rezoned as part of the Greystones/Delgany Local Area Plan. It is suggested that 'corridor areas' should be strengthened in relation to planning objectives.</p>

**Manager's opinion**

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- Section 17.8 and Maps 17.09 A-D clearly described and show the landscape zones in the County, including the 'urban zones. These landscape zones were drawn up following the carrying out of landscape character assessment of the County, which addressed among other things scenic beauty, vulnerability, contour level views / prospects, nature / geology designations and cultural / historical issues

- The Glencree valley is designated an Area of Outstanding Natural Beauty, the area afforded the highest level of protection.
- It is normal requirements that application for permission in scenic areas to submit and implement landscaping plans. This is clearly set out with regard to rural dwellings in Chapter 6 of the Plan (Section 6.4.3). It is also set out in the plan (Chapter 1) that bonds will be required to ensure compliance with permission
- Section 6.4.3 of the plan addressed the issue of the design of rural dwellings
- The viewing point referred to in Kindlestown Wood is from a rocky outcrop near the top of the hill, which has open views down to the coast due to a break in the tree cover. Any development in this view would be significantly downhill and some distance away and therefore could not interfere with the view. It is not considered necessary therefore to designate same.
- The “corridor” areas are considered the least vulnerable landscape zones, given the significant landscape impact already created by a major road running through the zone. Given the proximity of the settlement of Greystones to this landscape zone it is possible that the settlement may expand into this zone, as impacts would be lesser than expansion say into the AONB zone. However, this is a matter for any future Greystones/Delgany Local Area Plans and as it stands, the County Development Plan protects the “corridor” zone from inappropriate urban development.

#### **Managers Recommendation**

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No change

## CHAPTER 18 COASTAL ZONE MANAGEMENT

### Topic 1: Coastal Cells 3, 4 & 5 Bray – Kilcoole

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#### Summary of issues raised

85	Keep Ireland Open	Objective CZ5 (Greystones-Kilcoole), it is suggested that the term 'facilitate the development of a coastal walk' be replaced by 'develop a coastal walk'
90	Kilcoole Development Association Limited	Cells 5 and 6 should be protected in a positive manner and any form of development in the area should be strictly controlled. The vistas to and from this area should be controlled.

#### Manager's opinion

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It is the intent of the Coastal Zone Management Plan that coastal cells will be protected in a positive manner and that development in such cells will be carefully managed, including the protection of listed views and prospects set out in this plan.

While the suggestion made by 'Keep Ireland Open' is noted, it not considered appropriate to commit the Local Authority to the development of a coastal walk as no detailed investigation has been carried out in to the feasibility of same. The plan needs to have realistic objectives that can be implemented. The plan therefore will not reserve private land for public access or commit the Local Authority to providing a walk on land that is not in its control and with no funding source available. This is more appropriate to the Wicklow County Council annual budget process.

#### Manager's recommendation

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No change

**TOPIC 2: COASTAL CELLS 6 & 7 KILCOOLE – WICKLOW TOWN**

**Summary of issues raised**

50	Edmund and Sophia Cussen	Greater emphasis should be placed on The Murrough as an amenity and walking area for the people of Wicklow Town and its environs. The plan should include an objective for coastal defence mechanisms capable of preventing its further erosion.
51	Eamon de Buitlear	It is requested that there would be greater protection given to The Murrough and that this should be a specific objective of the plan. It is also requested that a Special Amenity Order be placed on the Murrough and its adjacent buffer areas.
85	Keep Ireland Open	<ul style="list-style-type: none"><li>i. Again, it is requested that the term 'facilitate the development of a coastal walk' be replaced by 'develop a coastal walk'</li><li>ii. It is requested that it be an objective of Cell 7 to 'develop a coastal walk having due regard to environmental designations and compliance with the EU Habitats Directive) and to restrict development that interferes with the achievement of this objective' and that the plan include a provision for the Golf Club to 'make available a strip of land to enable a coastal walk to be provided'</li></ul>

**Manager's opinion**

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It is the intent of the Coastal Zone Management Plan that coastal cells will be protected in a positive manner and that development in such cells will be carefully managed, including the protection of listed views and prospects set out in this plan. The provisions of Coastal Cells 6 and 7 address the protection of The Murrough as a priority given its EU SAC designated status.

It is not considered appropriate at this time to identify The Murrough wetlands as an area that will be pursued for a SAAO as there has been no research has been carried out as to the merits and consequences of such a designation on The Murrough. This area is extensive and such a designation would have wide reaching impacts on a range of activities and landowners. In addition, proposing an 'amenity' use for a designated conservation area seems somewhat contradictory and certainly cannot be considered for inclusion in the plan without having first carried out an 'Appropriate Assessment' under the EU Habitats Directive 1992. Finally, there is a considerable cost and resource issue involved in preparing and

managing a SAAO and in the absence of information to the contrary; the limited practical benefits arising from such an order do not appear to justify these costs.

The issue regarding the Local Authority 'developing' coastal walk is addressed in Topic 1. The development of a coastal walk is not specific provision in Cell 7, although the objectives do address walking routes in general, which includes coastal walking routes. Given the urban nature and morphology of the settlement (including a river crossing) it was not considered appropriate to specifically refer to a coastal walk.

With regard to coastal protection, the plan refers to the coastal protection study carried out for this area and the outcome of that study. The implementation of any recommendations from this study is supported by the objectives for this cell.

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**Manager's recommendation**

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No change

TOPIC 3: COASTAL CELLS 8, 9 & 10 WICKLOW TOWN - ARKLOW

Summary of issues raised

85	Keep Ireland Open	<p>i. It is requested that Point 8 of CZ8 (Wicklow Head/Kilpoole) be amended as follows: To conserve, <i>protect, promote, enhance, improve and maintain</i> the right of way from the Wicklow Town boundary along the coastline to Brides Head and Lime Kiln Bay".</p> <p>ii. It is requested that an additional objective to added to CZ8 <i>"To provide public access on a legal and permanent basis to the beaches at Silver Strand, Magheramore and Magherabeg"</i>.</p> <p>iii. It is requested that CZ9 includes an objective <i>"To develop a coastal walk from Kilpoole to Mizen Head"</i>.</p> <p>iv. It is requested that Point 8 of CZ10 (Mizen head – Arklow) be amended as follows: "To preserve <i>protect, promote, improve, enhance and maintain on a legal an permanent basis</i> existing access routes to the beach and to support and facilitate the development of additional car parking on the inland side of the coast road, proximate to existing access ways to the beach"</p> <p>v. It is requested that an additional objective be added to CZ10 <i>"To develop a coastal walk from Mizen Head to Seabank/Ballymoney"</i>.</p>
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Manager's opinion

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These points are essentially seeking that the plan include as an objective the development of the complete coastal walking route from Wicklow Head to Arklow and that existing established routes be proactively protected and managed.

This issue of the Local Authority committing to the development of such a walking route has already been addressed above. A coastal walking route is not indicated as an objective from Wicklow Head to Arklow as a large part of this area is open beach, to which there is currently open access and in location where the shore is inaccessible, where it is unclear where and how such a route could be facilitated given the nature of the coastline, the relationship between the coast road and the beach / cliffs and the environmental designations attaching to this area.



**Manager's recommendation**

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No change

TOPIC 4: COASTAL CELLS 11 & 12 ARKLOW – KILMICHAEL POINT

Summary of issues raised

85	Keep Ireland Open	<p>i. It is requested that CZ11 includes the following objectives</p> <p><i>"To develop a coastal walk from Seabank/Ballymoney to Arklow Rock"</i></p> <p><i>"To preserve protect, promote, improve, enhance and maintain on a legal and permanent basis existing access routes to the beach and to support and facilitate the development of additional car parking on the inland side of the coast road, proximate to existing access ways to the beach".</i></p> <p>ii. It is requested that Point 6 of CZ12 be amended as follows:</p> <p><i>"To preserve protect, promote, improve, enhance and maintain on a legal and permanent basis existing access routes to the beach and to support and facilitate the development of additional car parking on the inland side of the coast road, proximate to existing access ways to the beach".</i></p> <p>iii. It is requested that CZ12 includes the following objectives</p> <p><i>"To develop a coastal walk from Arklow Rock to Kilmichael Point".</i></p>
129	Marion Reuter	<p>This submission relates specifically to Cell 12 (Arklow Rock to Kilmichael Point) Objective CZ12 Point 5 (e) which states:</p> <p><i>"Automated gates will not be permitted on any development".</i></p> <p>It is requested that this objective be removed from the plan in the context of new tourist developments.</p>

Manager's opinion

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The additional or amended objectives proposed by KIO are noted however the appropriateness of such amendments has already been addressed above.

It is considered that automated gates should not be permitted in the coastal areas to avoid potential conflict with regard to long-standing beach / coast access routes.

**Manager's recommendation**

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No change

**VOLUME 3      TOWN PLANS**

**TOPIC 1:        BALTINGLASS**

**Summary of issues raised**

37	John Cogan	This submission requests zoning of two areas of land located at Deerpark/Lathaleer in Baltinglass, measuring 0.4ha and 0.9 ha respectively, for industrial/commercial purposes and residential purposes.
124	Liam Quinn	<p>This submission relates to 6 sites in Baltinglass.</p> <p>i. It is requested that three sites identified as Main Street (1ha), Main Street backlands (2ha) and corner of Belan St and Mill St. (0.01ha) which are all currently zoned as 'Primary Town Centre' should all be included in the Core Retail area of Baltinglass.</p> <p>ii. It is requested that the 3 other sites retain their existing zoning as per the Baltinglass Town Plan (Mill Street 3.77ha, Weavers Square 0.057ha and Church Lane 0.4ha).</p>

**Manager's opinion**

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***Submission 37***

The lands in question are located at Deerpark/Lathaleer in Baltinglass. The smaller site is adjacent to an industrial estate and the lands proposed for industrial would be an extension of this estate. However these lands currently form a buffer between residential and industrial uses. The larger site is located the opposite side on an access road is proposed for residential purposes.

With regard to the industrial/employment zoning the lands in question form a green buffer between an existing residential area and the land zoned for employment use. The removal of this buffer could give rise to adverse impact on residential and visual amenity in the area'

The land proposed for residential zoning are located within the 'Greenbelt zone', at the edge of Baltinglass and the lands are elevated and open. The Planning Authority has designated sufficient land in accordance with the requirements of the National Spatial Strategy and Regional Planning Guidelines for the town's population. This has been done, and allows an excess factor of 6% and a further 45% for market factors, to allow for the fact that some landowners may not wish to develop their lands. This equates to 26.5ha in total in the Baltinglass Town Plan. To zone further land than this could not be justified.

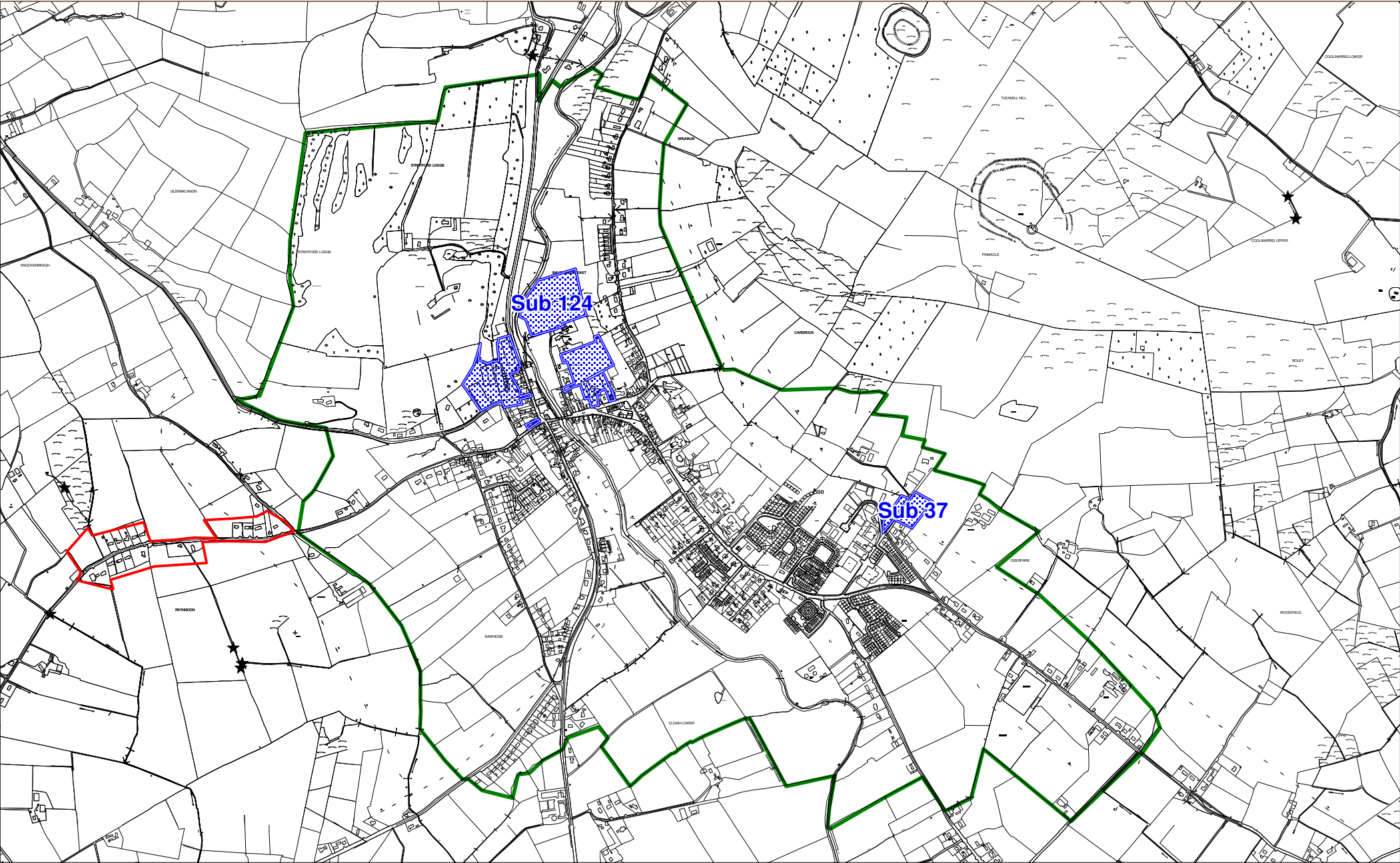
**Submission 124**

The 'core retail area' is not intended to be reflective of the entire town centre zone, but just that area of the town that is the principal retail area. This designation does not impact on the uses allowable in the wider town centre zone, and retailing is a use that is permissible subject to normal planning controls. The primary impact of the designation of a 'core retail area' is the requirement that any significant retail proposals outside such zones clearly justify the need and location of such development. This is considered reasonable in order to ensure the continue vitality and viability of the core area, particularly those properties and sites that adjoining the squares and main streets of the major towns in the County. Therefore no change is recommended.

**Manager's recommendation**

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No change



**TOPIC 2: CARNEW**

**Summary of issues raised**

42	Basil Conroy	This submission requests re-zoning of a 1.4ha site on the Gorey Road in Carnew from part "Community & Educational CE" (0.3 hectares) and part unzoned (1.1 hectares) to a mix of CE, retail and residential zoning.
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**Manager's opinion**

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The lands in question are located on the Gorey Road at Carnew. The land is bordered to the north by the regional road and slopes gradually downhill from the road. The lands are open to the south. Mains services are available for the site. The land is currently partially zoned for community facilities in the Carnew Town Plan and partially unzoned (rural area).

There is a current planning application on the front part of the site for the following development - a primary care facility consisting of a two storey building with a floor area of 1,232 sqm which will include a health centre / clinic, health related retail units, staff offices, meeting rooms and all associated site works.

The site area required by this development and associated car parking is 0.64 hectares. In order to facilitate a viable development, it is considered appropriate to increase this CE zone to 0.64 hectares.

Given that this health centre proposals is a commercial development i.e. it is intended to be leased to a health provider to generate income for the developer, there is no case to made for some kind of return 'gain' to be conferred on the remainder of the land e.g. retail / residential zoning. Furthermore, it was evident during the adoption of the Carnew Town Plan that there is an excess of zoned housing and mixed use / retail land in Carnew and no justification can be made for zoning any more. Therefore this proposal is not recommended.

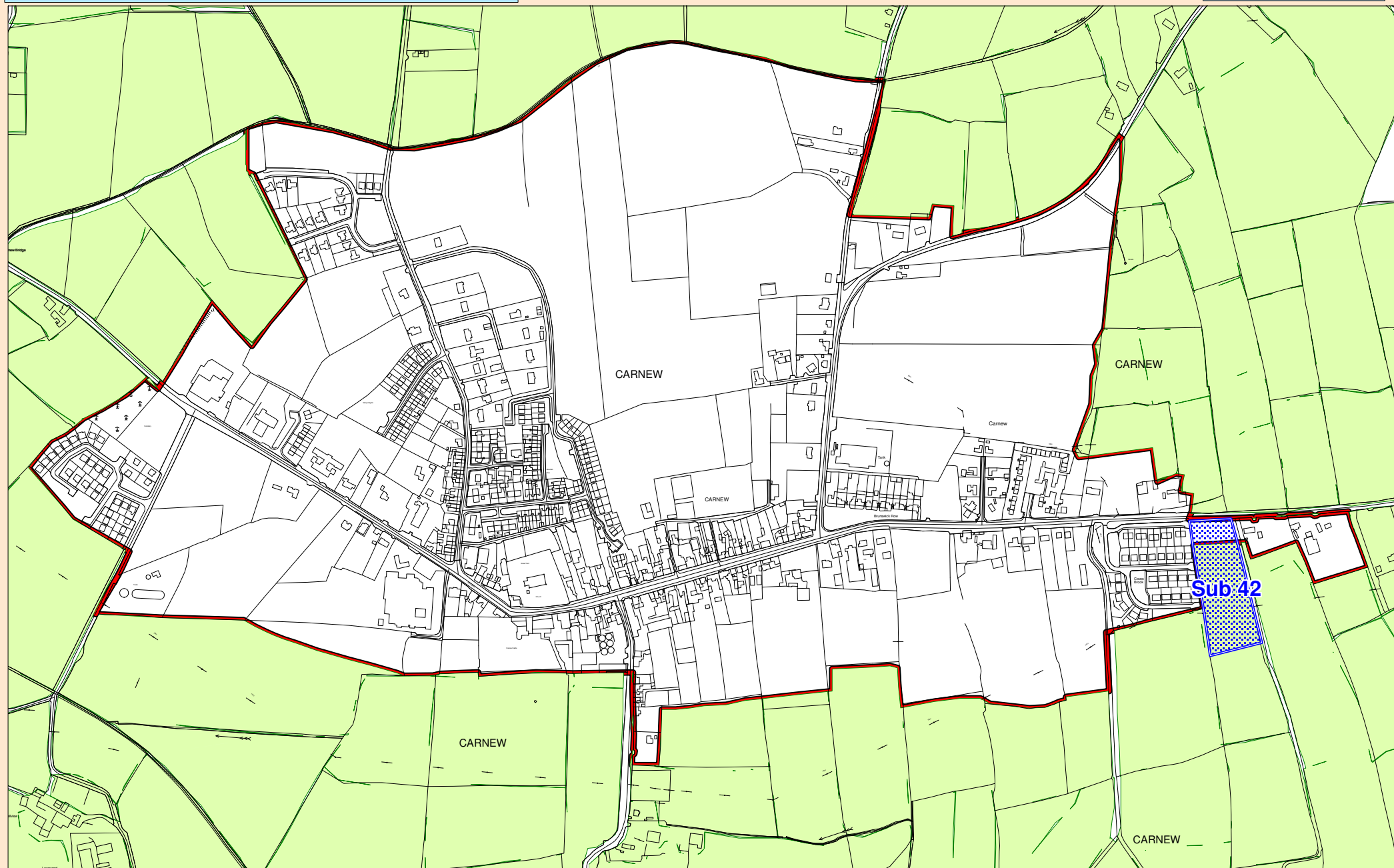
**Manager's recommendation**

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Amend the Carnew town plan as follows:

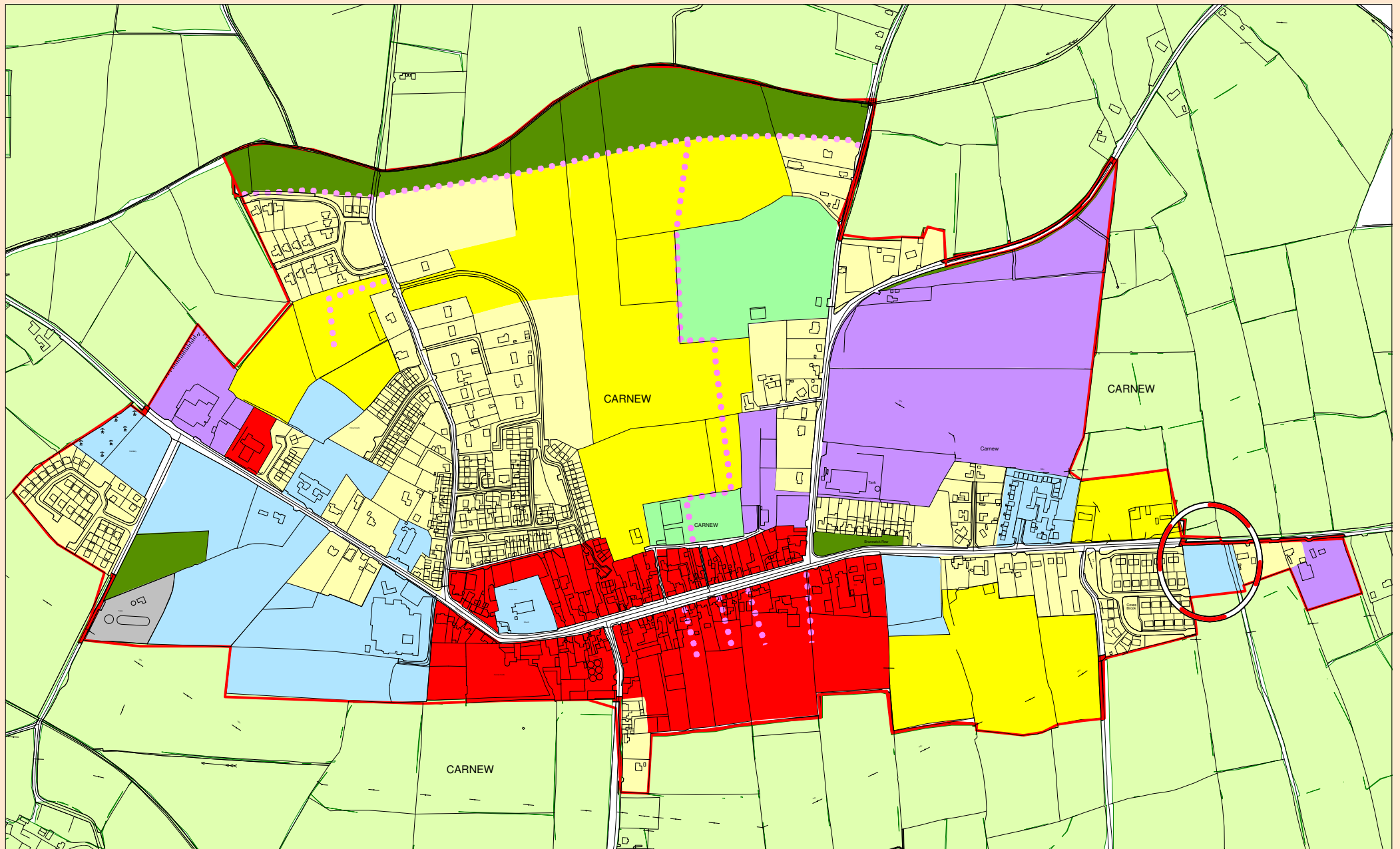
Enlarge CE zone on Gorey Road from c. 0.3 hectares to 0.64 hectares

# Carnew Town Plan





# Carnew Town Plan - Amendment 57 - Enlargement of CE lands from 0.3 to 0.64ha.



**TOPIC 3: NEWCASTLE**

**Summary of issues raised**

125	Rector & and Select Vestry of the Church of Ireland	This submission requests that:  i. Lands comprising of the existing Rectory currently zoned RE (existing residential) be zoned for CE (Community and Educational)  ii. Lands to the west of and outside the plan development boundary, surrounding the Vicarage to be zoned for residential development i.e. change from AGR / GB to R1 LD (either 2 or 3.5 hectares)
154	Sari Wickworth	This submission relates to lands at and surrounding the Vicarage and slightly overlaps with Submission 125 above. These lands measure 1.4ha and are currently zoned Agriculture / Greenbelt. It is requested that they be zoned Residential.

**Manager's opinion**

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There is no objection to the redesignation of the existing Rectory from RE to CE. However, it would appear that this requested change is predicated on the remainder of the lands identified being zoned for residential development and therefore it is not considered appropriate to consider the request separately. The lands requested for residential zoning are located on the L-5050 Newcastle to Newtownmountkennedy road, west and southwest of St. Francis's National School. "The Old Rectory" (a Protected Structure) is in the centre of the block requested for rezoning. The lands are serviced by the public water mains but are not serviced by sewerage infrastructure. The road serving the site has no public lighting or footpaths and is poorly aligned, particularly to the west of the lands.

The lands proposed for residential zoning are located within the 'AGR / GB'. The Planning Authority has designated sufficient residential land in accordance with the requirements of the National Spatial Strategy, the Regional Planning Guidelines and the County Development Plan population targets for the town's population, including an excess factor of 6% and a further 30% for market factors, to allow for the fact that some landowners may not wish to develop their lands. To zone further land than this cannot be justified.

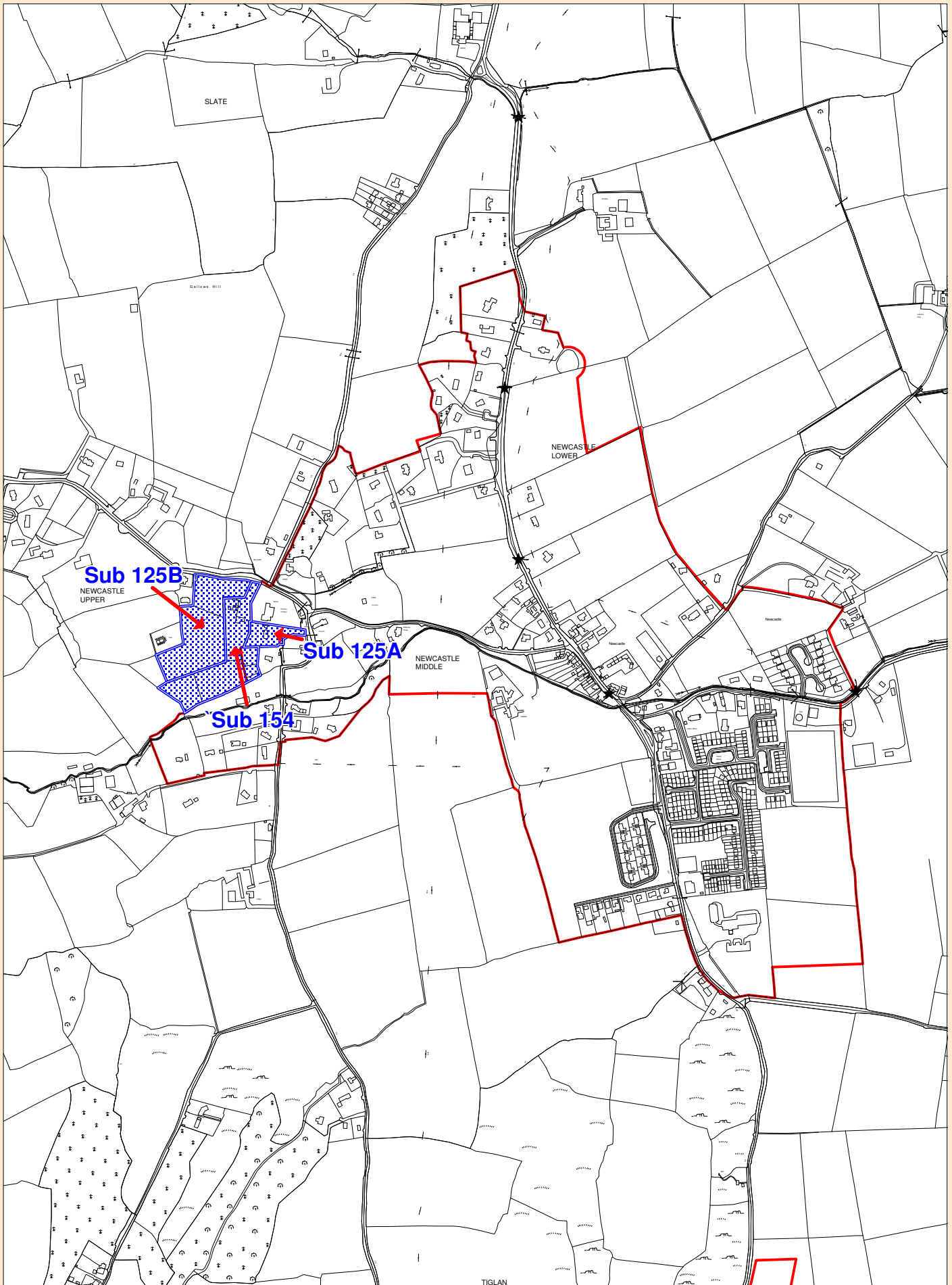
There is also concern regarding the impact of residential zoning of the protected structure and the impact of eroding the distinction between the urban and rural zone of the town. Furthermore, it may not be possible to provide a safe entrance to these lands given the alignment of the public road serving the site.

**Manager's recommendation**

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No change

# Newcastle Town Plan



## LEGEND



Submission area outline

**TOPIC 4: RATHDOWN NO. 2 PLAN**

**Summary of issues raised**

83	Tony Kearns	<p>It is suggested that the following objective in relation to the Rathdown No.2 Plan is contrary to the recent approved Bray Environs LAP:</p> <p><i>"There is significant development pressure on both Enniskerry and Kilmacanogue owing to their location and easy access to the Bray/Dublin areas. This has resulted in a tendency towards coalescence and could result in the entire Bray, Kilmacanogue and Enniskerry settlements forming part of a large urban conglomerate. This type settlement form should be discouraged and every effort will need to be made to ensure that such a trend will not continue. It is essential to ensure that the character of the existing village is retained and reinforced and development pressure from other areas will therefore have to be controlled. This Development Plan defines development boundaries for Kilmacanogue and Enniskerry which will ensure that this objective is achieved. (The development boundaries shown on Map No.1 are those currently applicable (2009) and are subject to review and revision over time)"</i></p>
117	Park Developments Ltd	<p>This submission relates to lands which comprise the former Dell Site in Bray, which lies within Rathdown No.2 District Plan. Part of the overall site lies within the boundary of Bray Town Council. The lands have an overall area of 3.7ha of which 1.7ha are within the boundary of Wicklow County Council. The submission requests that the Land Use Matrix in the Rathdown No.2 District Plan is amended to allow 'Discount Foodstores' to be 'Normally Permitted' on lands zoned E3.</p>

**Manager's opinion**

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1. Submission 83: This submission is particularly concerned with the proximity of Enniskerry and the newly zoned development area in Fassaroe. There is a significant tract of agricultural land between the boundaries of Enniskerry and Bray and it is not the

intention of the Planning Authority that these areas would coalesce over time, each area have their own individual plans with projected populations and individual zonings. In addition it is considered that Bray LAP has sufficient lands zoned for development and it is not foreseen that additional lands would require to be zoned in the future.

2. It is not considered appropriate to alter the uses allowable in the E3 zone, the purpose of which is to facilitate significant employment. This site is part of a wider employment zone in the Bray town area which is not designated for retail development. The Bray plan does identify a new for a neighbourhood centre in this general area but the site identified is further west along the Southern Cross Road. It would be contrary to the County Retail Strategy to identify an out of centre site as appropriate for significant retail. Therefore this proposal is not recommended.

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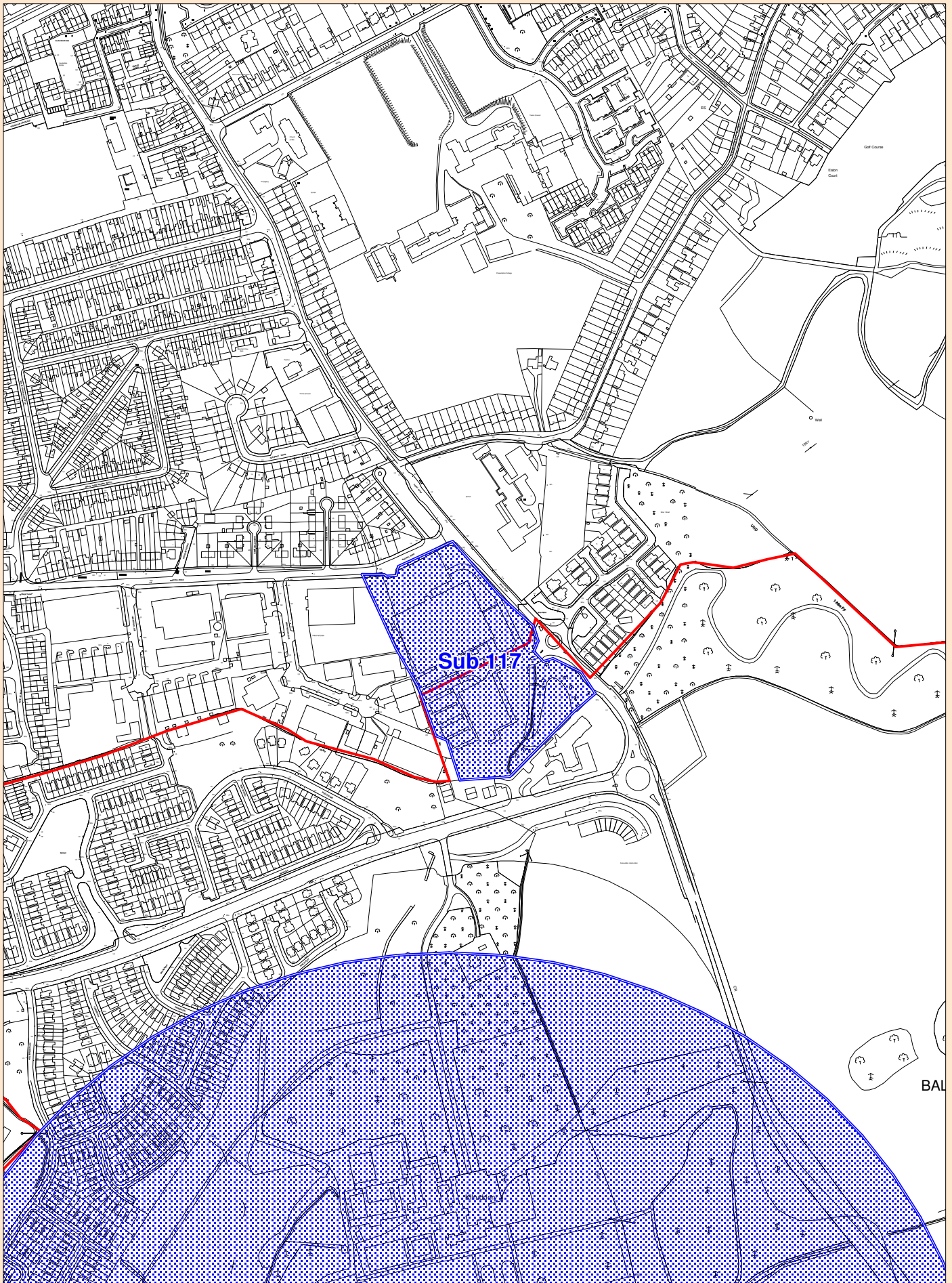
**Manager's recommendation**

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No change



## Rathdown No. 2 Plan



### LEGEND



Submission area outline

**TOPIC 5:            ROUNDWOOD**

**Summary of issues raised**

100	McAuley Rice Architects	This submission requests that a portion of land (c. 0.7ha / 1.7 acres) situated between the existing residential and the Open Space (GAA Grounds) be included within the town boundary and requests the rezoning of a site from greenbelt to residential.
127	Roundwood and District Community Council	<p>Volume 3 - Town Plans Roundwood Town Plan</p> <p>(i). This submission makes a number of observations relating specifically to the Roundwood Town Plan. The submission begins with a general opinion for procedures for future plans for the area and how they should be adopted. The remaining issues are summarised as follows:</p> <p>(ii) Housing:</p> <p>-This section of the submission deals with issues relating to housing need and sustainable design, which should ensure the rural character of Roundwood is maintained.</p> <p>-It is recommended that community facilities and infrastructure should be provided in tandem with residential development</p> <p>-Need for policies/objectives to be more flexible towards local people looking to build a home in the area.</p> <p>(iii) Infrastructure:</p> <p>-The need for increased parking provision within the town centre and in close proximity to local community uses is needed.</p> <p>-There is a need for upgrading and developing adequate water and sewage infrastructure in order to accommodate the projected population.</p> <p>-Broadband access should be expanded into the area.</p> <p>-There is a need to re-introduce the mobile recycling facilities to the area.</p>



		<p>-The development of a filling station for the village is needed.</p> <p>(iv). Development of Local Resources, Tourism and Recreational Facilities:</p> <p>The Roundwood plan must incorporate the following</p> <ul style="list-style-type: none"><li>·The retention and restoration of listed buildings</li><li>·Identification of suitable community and recreational buildings</li><li>·Measures to capitalise on tourism</li><li>·Additional community facilities such as playgrounds and crèches</li><li>·The identification of existing tourism resources and walks</li></ul>
142	Brian and Emmet Stokes	<p>This submission relates to lands measuring c. 6.8 hectares on the north side of Roundwood, immediately north of Vartry heights / Ashwood developments. The land is currently partially zoned R1 Phase (1.3 hectares) and partially AGR / GB. It is requested</p> <ul style="list-style-type: none"><li>- To realign the Roundwood Town Plan boundary</li><li>- To delete the phase 2 qualification from the R1 (proposed residential) objective west of the Regional Road R755</li><li>- To substitute R1 (ph2) for the AGR/GB (Agricultural / Greenbelt) of their land that is within the proposed realigned plan boundary</li></ul>

#### Manager's opinion

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##### Submission 100

- The lands in question are located to the rear (west) of existing residential development on the L5077 local road to the south of Roundwood Village. The site is located outside of the town boundary in the Agricultural Greenbelt. A number of one-off rural dwellings have been permitted to the west of the site - mainly bungalows, on long narrow sites. The lands to the north are currently zoned for Active Open Space and contain the existing GAA Grounds.
- The lands in question are served by two existing access points - one of which appears suitable only for pedestrian access, the second is of insufficient width to allow two vehicles to pass. Both access points are located between existing residential properties and it is considered that using these for access / egress of vehicles could seriously

effect residential amenity of existing properties and as such that the subject lands would not be suitable for multi-unit residential development.

- Both water supply and wastewater treatment facilities serving Roundwood are at capacity and as such no significant development can take place until the necessary infrastructure is in place.
- In addition to the above the Roundwood Town Plan was recently adopted in 2007, which set out a framework for the planned, co-ordinated and sustainable development of the Roundwood area. As part of this process population projections and calculations of required land zoning were carried out. The quantity of zoned land required took into account the 2006 census population, permissions granted and constructed since 2006 and existing permissions, which had yet to begin construction. This analysis, as set out clearly in the Roundwood Town Plan, concluded that there were sufficient lands zoned in Roundwood to cater for the projected population including a substantial excess factor and headroom.
- Having regard to the above it is not considered appropriate to include the subject lands within the plan boundary for Roundwood or to zone the subject lands for residential purposes.

#### **Submission 127**

- The Roundwood Town Plan was adopted in 2007 at that time extensive public consultation occurred where members of the public had an opportunity to submit their opinions and views on the future of Roundwood it is considered that this approach of public consultation is sufficient.
- It is considered that Chapter 6 contains sufficient guidance in relation to rural design guidelines.
- It is considered that the objectives set out in Chapter 6 are adequately flexible in order to accommodate local housing needs.
- The Town Plan provides for three designated 'Action Area Plans' where the provision of community and social infrastructure is tied into the future development of these areas. The uses proposed in these Action Areas were derived following consultation with and assessment of the needs of local community groups in the area. The policies guiding these local area plans aims to ensure the provision of community infrastructure in tandem with the future residential development of these areas and therefore the provisions of the plan are considered adequate.
- The objectives of Action Area 1 of the plan facilitate the provision of car parking area to serve the village area.
- Section 5 of the Town Plan states that no further developments can occur until the necessary infrastructural services are in place.

- The objectives set out in chapter 14 of the Draft Development Plan 2010-2016 adequately facilitate the provision of broadband and telecommunication infrastructure. It is outside the remit of the plan to specifically provide for broadband.
- Objectives set out in Chapter 13 section 13.2 are considered to be sufficient to adequately facilitate the provision of recycling facilities within the county.
- It is considered that there is adequate lands zoned to facilitate the development of a petrol filling station within the town area.
- Section 10 of the Town Plan provide for a number of objectives aimed at supporting the implementation of the Wicklow County Tourism strategy. It is considered that these objectives are adequate.

#### **Submission 142**

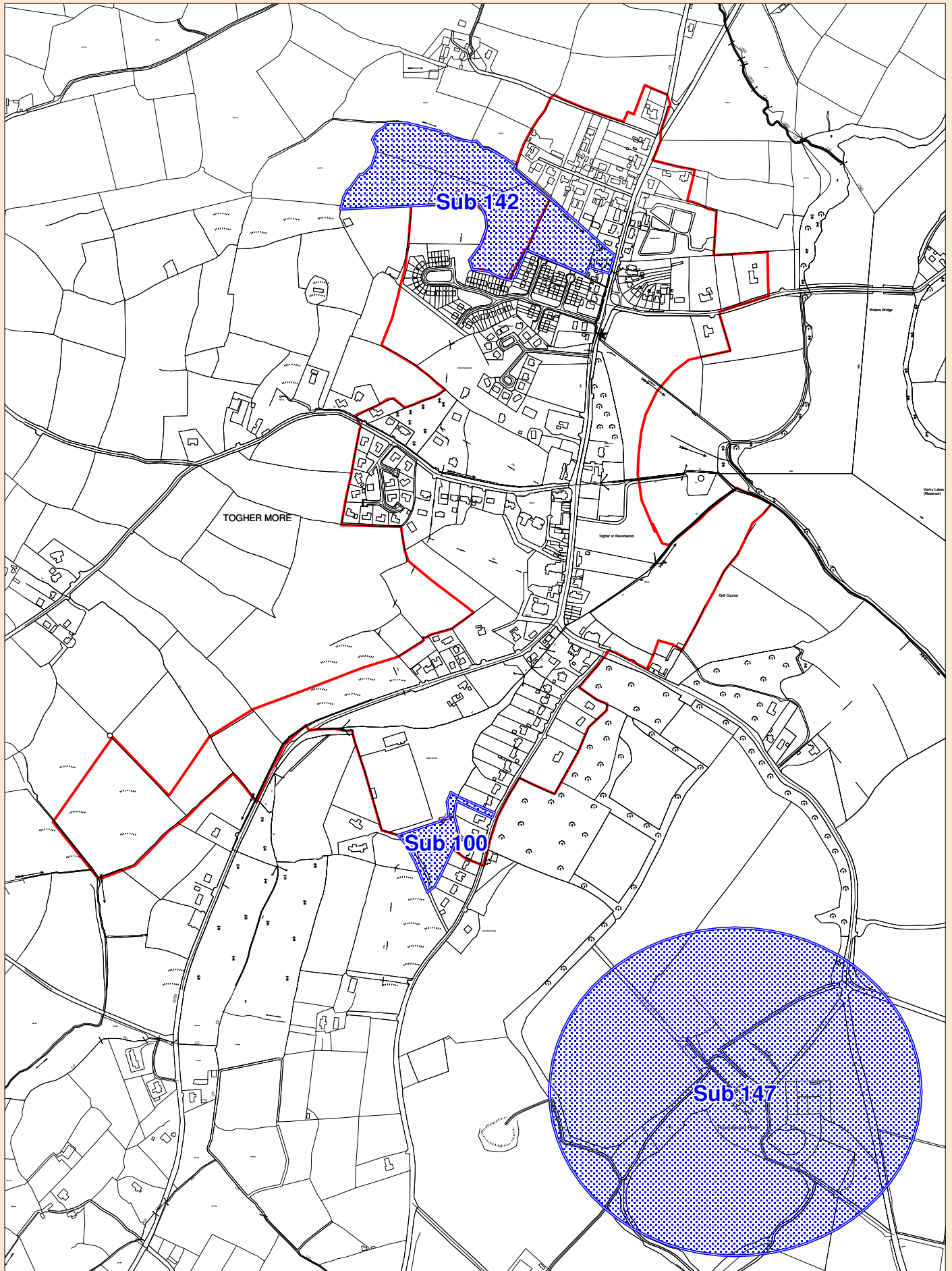
- The lands in question are located to the northwest of Roundwood Main Street and comprise of land zoned for residential development in phase 2 and lands within the Agricultural / Greenbelt zoning outside of the development boundary. The lands are bounded by existing residential development to the north and south and by the agricultural greenbelt to the west. A small section of the lands (c. 35m) are bounded to the east by Roundwood Main Street.
- Under the existing Roundwood Town Plan 2007 – 2016, residential zonings were selected sequentially, allowing for sites within walking distance to the town centre and other facilities to be developed first. The phasing of residential development ensures that services such as road infrastructure, mains infrastructure, community and recreational facilities etc can be provided in a sustainable manner.
- As part of the plan preparation process population projections and calculations of required land zoning were carried out. The quantity of zoned land required took into account the 2006 census population, permissions granted and constructed since 2006 and existing permissions, which had yet to begin construction. This analysis clearly indicated that there were sufficient lands zoned in Roundwood to cater for the projected population including a substantial excess factor and headroom.
- In addition to the above both water supply and wastewater treatment facilities serving Roundwood area are at capacity and as such no significant development can take place until the necessary infrastructure is in place, this pertains to both Phase 1 and Phase 2 lands.
- Having regard to the above it is not considered appropriate to include the subject lands within the plan boundary for Roundwood or to zone the subject lands for residential purposes.

**Manager's recommendation**

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No change

# Roundwood Town Plan



## LEGEND



Submission area outline

**TOPIC 6: SHILLELAGH**

**Summary of issues raised**

35	Cheshire Ireland	This submission requests the re-zoning of lands in Shillelagh, measuring 8.5ha (21 acres) on local road L3216 (Shillelagh – Collattin) from part “Community and Educational” and part “Active Open Space” to “Residential” for the provision of Social / Voluntary and private housing
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**Manager's opinion**

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The lands in question are located within the settlement of Shillelagh owned by Cheshire Ireland. The lands are currently part zoned “CE” and part “AOS”. The CE zoning allows for the provision of community, educational, recreational, institutional and related land uses. While there is no land use matrix in this town plan, residential uses are not normally permitted in such zones, notwithstanding the social / voluntary type housing proposed. While housing is not normally permissible on lands designated open space, it would seem that some of the Cheshire lands are designated AOS due to their proximity to the playing pitch and not because of an existing usage.

While there is adequate land zoned in Shillelagh to meet the population target as set out in the draft plan, given the nature of the housing proposed, it is considered appropriate to allow for social / voluntary housing on this land.

**Manager's recommendation**

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**Amend Shillelagh town plan as follows:-**

1. Change zoning of 8.5ha of part AOS and part CE to all CE1
2. Add new text as follows:-

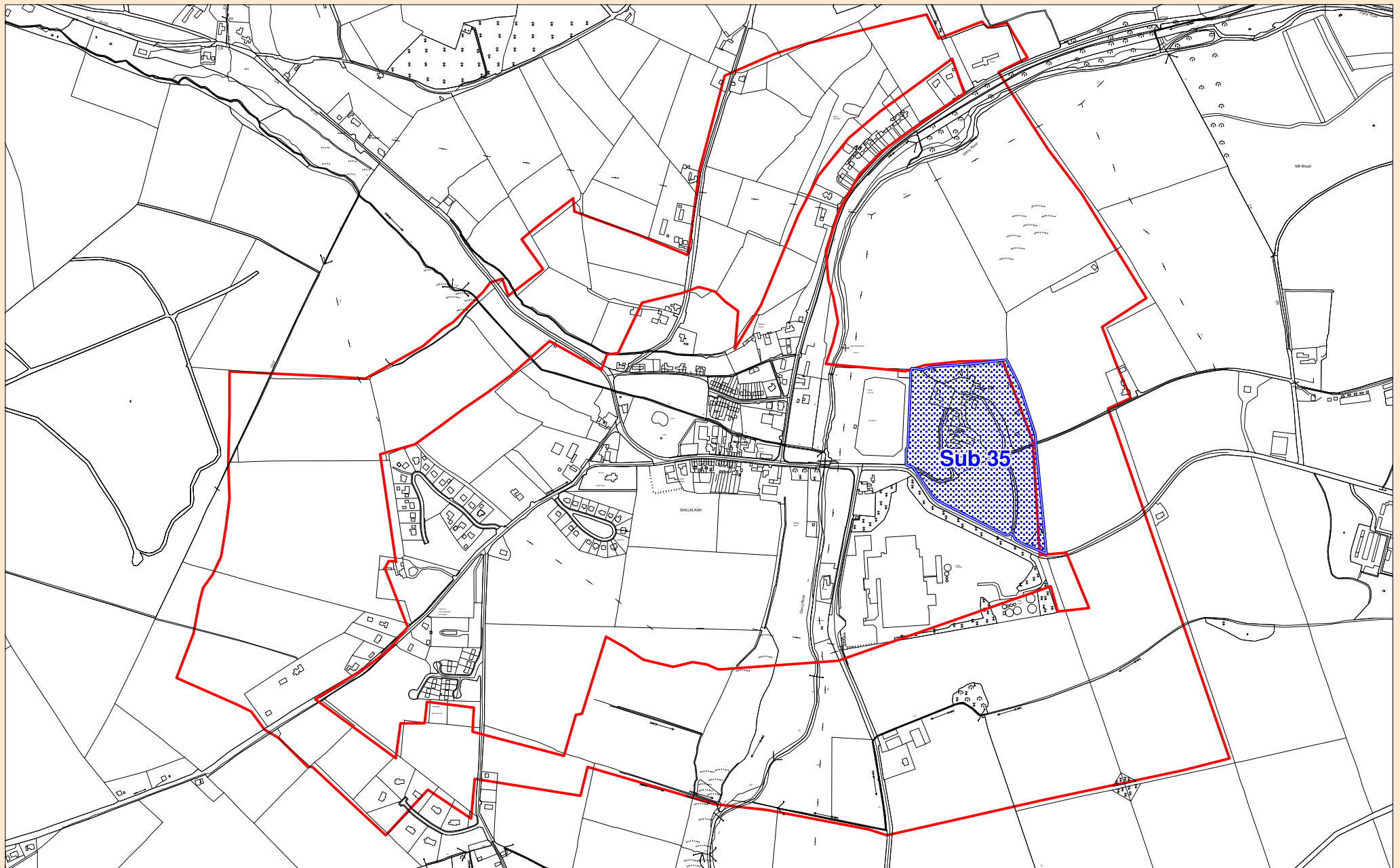
**CE1 Community / Social / Voluntary Housing**

**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.

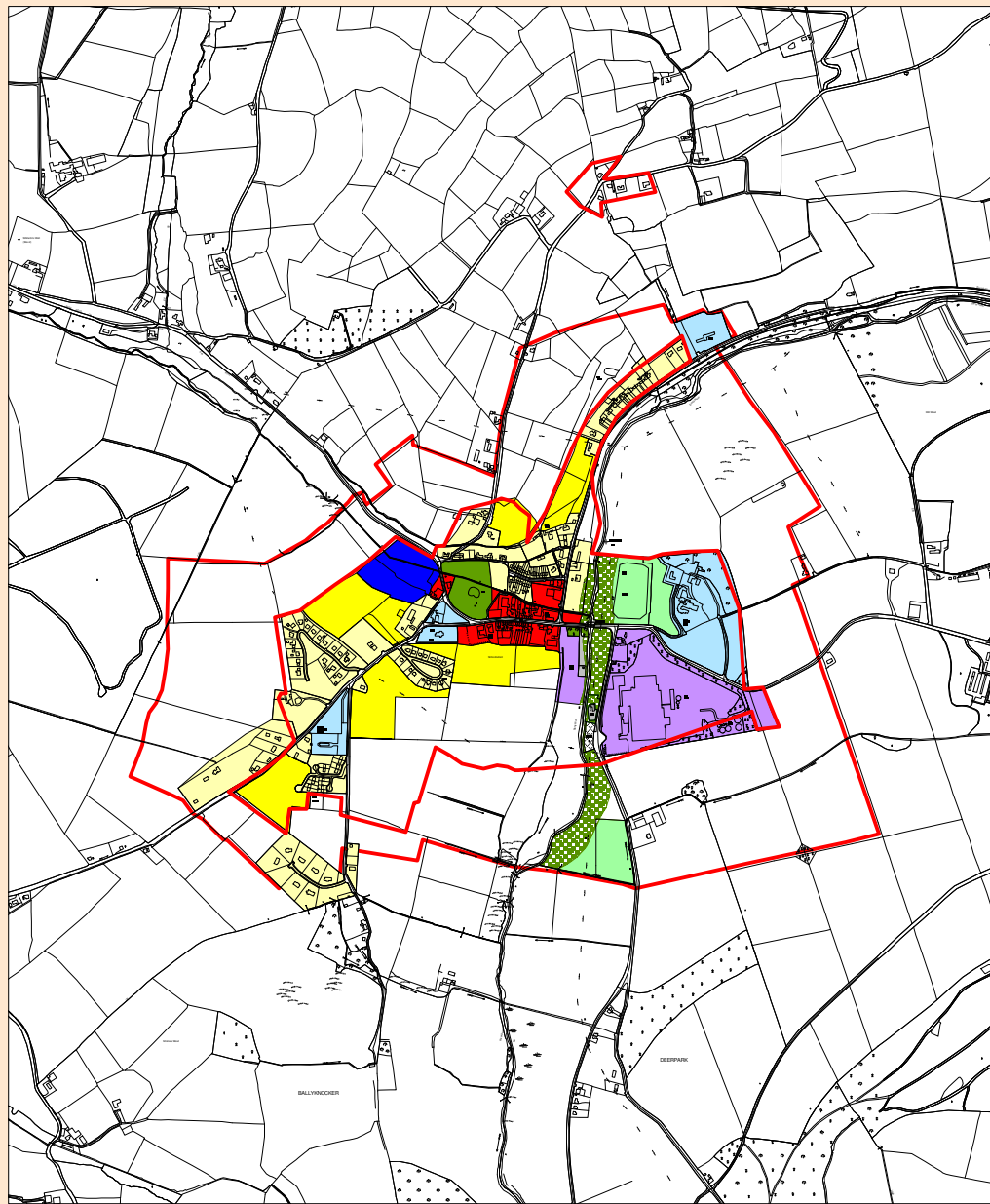
**Uses permissible:** Social / voluntary housing, residential institution, community facilities, care facilities, open space.

# Shillelagh Town Plan

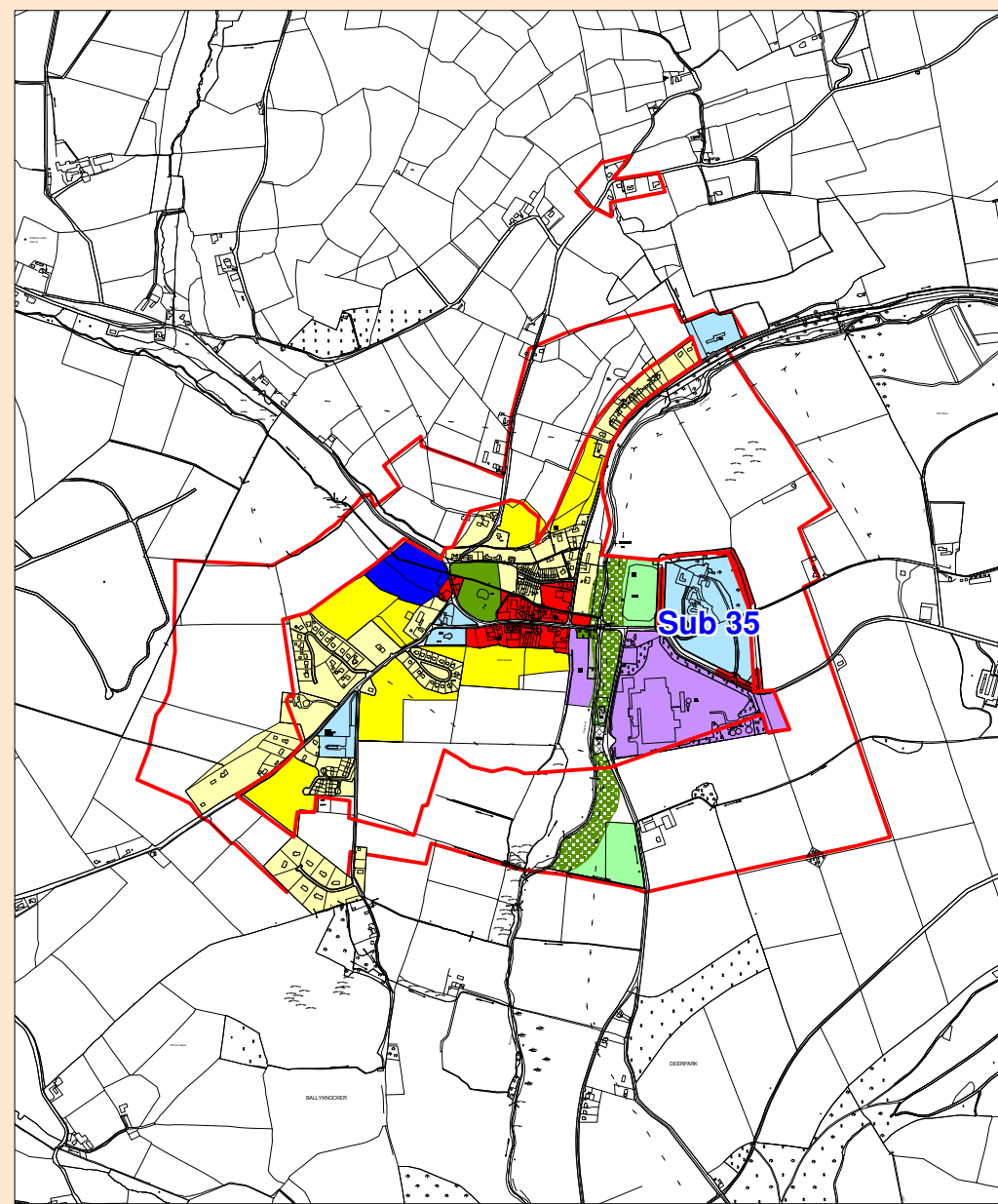




# Shillelagh Town Plan - Amendment 58



From



To





## **REQUESTS FOR LAP AREAS**

### **ARKLOW**

#### **Summary of issues raised**

160	Arklow Business Park Ltd	This submission relates to the lands at Arklow Business Park located to the south of the town and measures c. 10.6ha. It is proposed that one designation should apply for these lands as the current zonings have caused issues when planning applications are submitted.
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#### **Manager's opinion**

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These lands are located within the plan boundary of the Arklow Environs LAP which is currently under review. The same submission has been made to that review and is being considered through that process and is not therefore appropriate to address through the County Development Plan process.

#### **Manager's recommendation**

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No change

[illegible]

### Submission area outline

**ASHFORD**

**Summary of issues raised**

140	Patrick Stephens	<p>This submission relates to lands located at Rosanna/Ballinalea measuring c. 10ha. The subject lands are located to the south of Ashford village centre and adjoin the rear boundary of the existing Ballinalea housing development and the existing soccer pitch. The lands are zoned 'AGR / GB' in the Ashford LAP</p> <p>It is requested that 9.1ha of the subject lands be zoned for residential purposes (affordable houses, and associated facilities including crèche and community shops) with the remaining 0.93ha being dedicated for community purpose (sports use)</p>
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**Manager's opinion**

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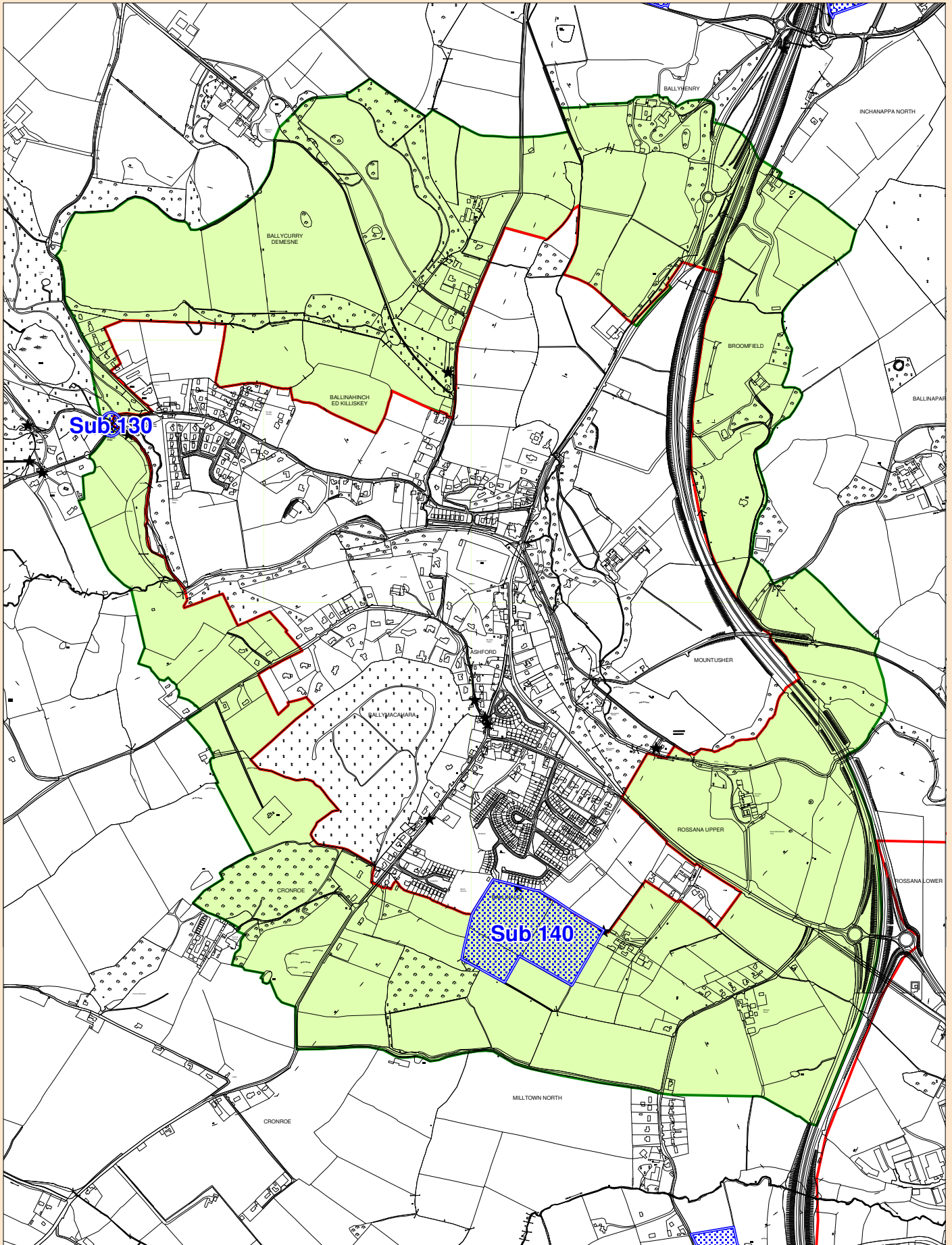
The subject lands are situated within the Ashford Local Area Plan. This plan sets out a framework for the planned, co-ordinated and sustainable development of Ashford over a 6-year period and does not form part of the County Development Plan process. The content of this submission cannot therefore be considered.

**Manager's recommendation**

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No change

# Ashford Local Area Plan



## LEGEND



Submission area outline

## DELGANY

### Summary of issues raised

54	Delgany Golf Club	This submission requests the designation of two parcels of land within Delgany Golf Course for a residential/tourism zoning. The total area of land has not been indicated but it is approximately 2.67ha (6.59 acres)
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### Manager's opinion

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These lands are unzoned and lie within a landscape designated as a 'Corridor Area' in the CDP and draft CDP but are immediately adjoining the Greystones – Delgany LAP boundary.

The northern parcel of land is located to the south of a narrow laneway off Bellevue Hill. This land is elevated within the surrounding landscape. This laneway currently serves a number of one-off dwellings and would need to be upgraded in terms of width, surfacing, footpaths and public lighting in order to accommodate any additional traffic. There is a public mains water supply and public sewer along Bellevue Hill but not along the lane in question.

The southern parcel of land, which is located adjacent to the entrance to the Golf Course and adjacent to the road linking Delgany to the N11 (R762) is currently covered by mature trees and is elevated above the public road. There is an existing footpath along this road. This area is served by a public mains water supply however the public sewer does not extend this far.

The submission is somewhat unclear as to the specifics of the proposed zoning other than stating that premium dwellings would be constructed to cater for a retired membership of the golf course. It has not been indicated if this will be permanent accommodation for retired members or it will be self-catered accommodation for visiting retired members of the course.

The designation of these lands as either a tourism or residential zoning would result in the extension of the urban environment into an elevated and sensitive rural landscape which is currently under pressure from development. It would also result in the loss of a significant number of mature trees worthy of retention.

Given the proximity of Delgany Golf Club to an existing settlement it is not considered necessary to designate these lands to serve the accommodation needs of members of the Golf Club.

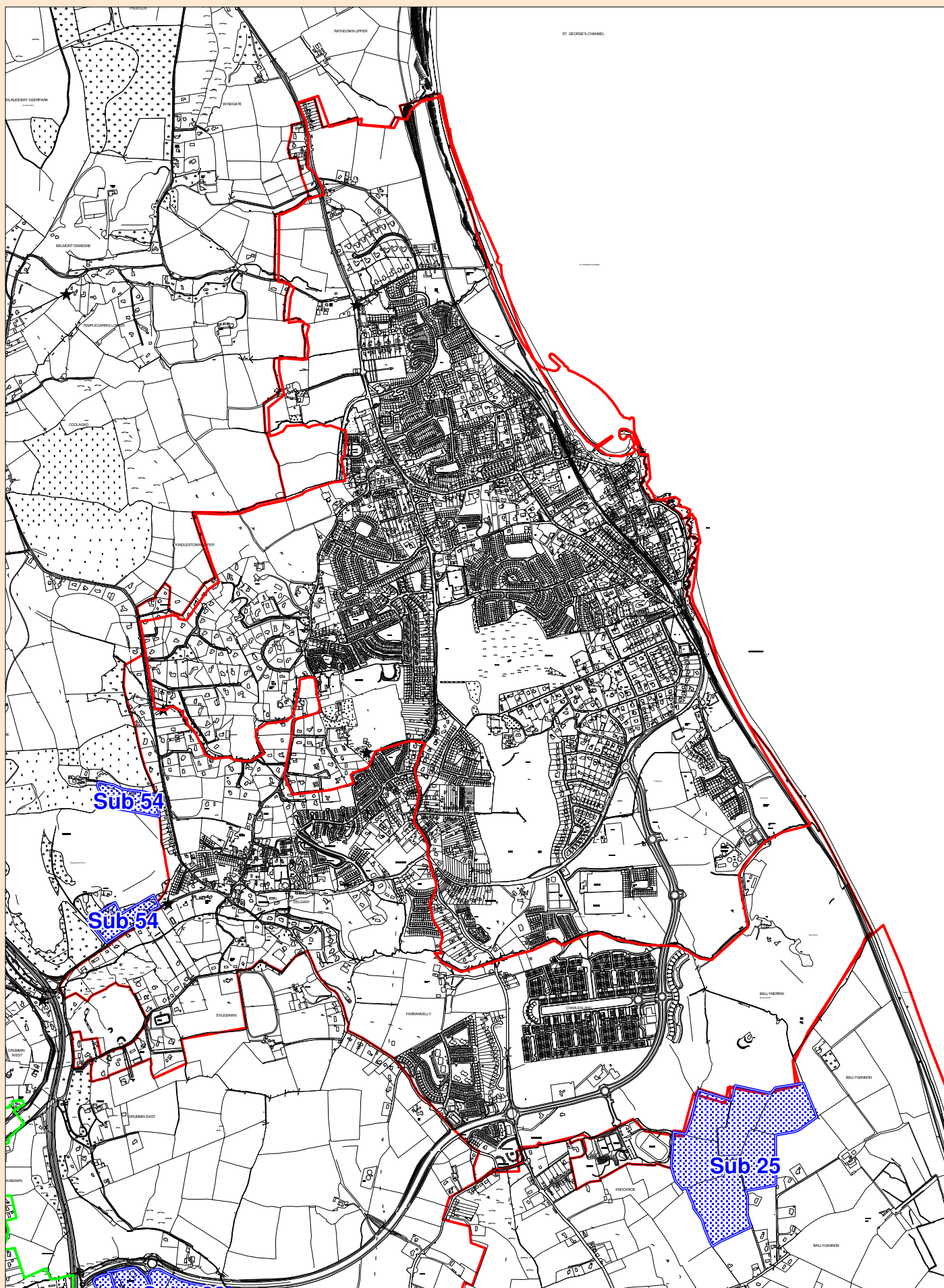
### Manager's recommendation

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No change



# Greystones/Delgany Local Area Plan



## LEGEND



Submission area outline

## Enniskerry

Sub No.	Name	Sub No.	Name	Sub No.	Name
33	L Cameron	73	Niall Glynn	110	Pat Nolan
34	Gillian Carey	77	Gerard Hickey	111	Clodagh O'Brien
41	Kieran & Sharon Conlon	83	Tony Kearns	118	Yanny Peters
44	Noel Corcoran	86	Declan Kelly	122	Jose Poveda
47	Rose Mary Craig	91	Kilgarron Park Residents	137	Barry Smyth
48	Jackie Cronin	94	Colin & Valrie Lawlor	138	Edwina Spence
65	Enniskerry Forum	107	Michael Mulhern	139	Ian Stanley
66	Enniskerry Walking	109	Antonia Ni Dhuiinn	155	Charlotte Windsor

### Summary of issues raised

A total of 24 submissions related directly to Enniskerry, of which 18 were 'pro forma'. The response to all 24 has been grouped into this section of the Manager's report as for the most part they raised similar issues.

### Summary of issues raised

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#### Settlement Strategy

1. The designation of Enniskerry as a 'Small Growth Town' is not appropriate due to its setting and historical character and that it would be more appropriate designated as a Heritage Village
2. The level of development considered in the Enniskerry Local Area Plan should be curtailed as it is in excess of the needs and resources of a small village.
3. A significant buffer in excess of the 600m indicated in the plan should be provided between Enniskerry and the proposed Bray Environs Development in order to prevent coalescence.

#### Built heritage and design

4. The Enniskerry Architectural Conservation Area should be retained and possibly extended to include Millfield, Riverside/Glenbrook, Dixon's Barn, site of Pound, Dixon's Well and Powerscourt Demesne.
5. Buildings which are of architectural merit and value or which are in the ACA or in the National Inventory of Architectural Heritage should be protected and added to the RPS. In addition buildings of architectural, historical, archaeological, artistic, cultural,

- scientific, social or technical interest should also be protected. The cottage at number 1 Kilgarran Hill should be protected and added to the register as requested by Ministerial recommendation.
6. Errors in the existing RPS should be corrected
    - a. Photo 03-04 is not Lawnview, photo 03-10 is Laneview
    - b. 03-05 is not Clonlea
    - c. C. 03-07 is not the Alms House, 03-12 is Alms House
  7. The Bog Meadow area should be added to the Special Area of Conservation within the town.
  8. There should be additional qualified heritage personnel employed within the Council and that all applications within the ACA are reviewed by these personnel which would encompass engineering activities, road works etc.
  9. It is suggested that access to National Monuments would be kept open for pedestrians and if these routes were to be blocked, landowners would require planning permission to do so
  10. The use of shops, businesses and residential frontages in or near the village require special control so as to preserve the Victorian character of the village – there should be specific design standards for Enniskerry in relation to shopfront styles.
  11. Visual Impact Assessments would be made mandatory for any development within the village due to the sensitive nature of the village

#### **Tourism & Recreation**

12. There should be closer consultation with the Enniskerry community to promote the village as a key location for tourism.
13. There should be an overall action plan in place to encourage the development of new and existing walking, cycling and driving trails within Enniskerry

#### **Infrastructure**

14. Traffic infrastructure within the village requires attention. Specific reference is made to the lack of adequate signage, parking requirements, poor signage and poor walking conditions for pedestrians and visitors within the village. In addition access for individuals with special needs should be improved.
15. It is suggested that if pay parking is introduced in the village that the first 30-45 minutes of parking would be free and that parking immediately inside the village centre is entirely free. It is also suggested that there should be a one-way traffic system introduced in the village.
16. It is suggested that recent flooding in Enniskerry was caused by infrastructural problems, blocked drains and recent road works
17. There should be an improvement and extension of amenities and recreational facilities with particular reference to children's play facilities and parking



### **Natural Heritage**

18. Views and Prospects should be retained and protected in and around the village of Enniskerry. In addition special consideration and protection of the "green bowl" surrounding the village should occur. It is also suggested that there should be a natural separation of the village from larger conurbations at Bray and Fassaroe.
19. Heritage walks and trails should be encouraged around the village.
20. The Scalp area should be added as a proposed Natural Heritage Area.
21. All trees within the ACA and recommended for consideration for protection should have Tree Preservation Orders placed on them. All trees that are the listed in the County Plan but not surveyed should be surveyed as a matter of urgency and added to the list where appropriate. The following trees should be added to the list of protected trees:
  - a. Beech Tree at junction of Cookstown Road and R117 Kilcroney
  - b. Trees on the North Side of R117 at Kilcroney
  - c. Beech Trees along Beech Walk
  - d. Giant Redwoods at Fassaroe House
  - e. Pines on East side of Church Hill and at Old Rectory and Rosemount
  - f. Trees North East of Summerhill Hotel
  - g. Trees along the Dargle River in Powerscourt and in the Dargle Gorge
  - h. Trees planted by local children in the Bog Meadow.
22. It is suggested that under Section 17.7 that the Council would recognise the traditional walking routes and Mass paths and when assessing planning applications these routes would be considered where applicable.
23. It is suggested that stone stiles and "kiss-gates" would be given greater protection.
24. It is suggested that files relating to walking routes, access to monuments and "rights - of-ways" would be made available free of charge for research purposes.

### **Miscellaneous**

25. There should be a more formal communication process introduced between the local community and Wicklow County Council when planning applications are being assessed that relate to the village.

### **Manager's Opinion**

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The majority of the issue raised relate specifically to Enniskerry. The County Development Plan is a strategic document, which contains a framework for the co-ordinated and planned development of the County. Because of the general and strategic nature of the County

Development Plan, local plans are required to give effect to this strategic document and to address local development issues. The Enniskerry Local Area Plan was adopted on the 29<sup>th</sup> May 2009. It contains policy and objectives, which specifically relate to Enniskerry. It is not reasonable or feasible for County Development Plan to include all of the local policies and objectives set out in this local plan and therefore this is not the correct process through which to address the majority of the issues raised.

However, those issue which have a County Development Plan 'dimension' are addressed as follows:-

- Population and settlement issues are addressed in Chapter 4 of the draft plan and these issues regarding the designation of Enniskerry are dealt with already in this report
- The Rathdown No. 2 District Plan which forms part of the County Development Plan shows the greenbelt area between Fassaroe and Enniskerry. The development boundaries of these two settlements is now defined by the respective local plans and any change in the status of the land in between can only be through the plan review process, which will be open to the input of Enniskerry residents and other interested parties. This draft plan does not change the current status quo.
- The scope and extent of the Enniskerry ACA and RPS is considered appropriate and in reality, Enniskerry is the most protected settlement in the County. The ACA and RPS provisions are being implemented in Enniskerry in accordance with the Planning Acts. Any errors with photos will however be rectified in the final document.
- Survey work has previously been undertaken in the County and Enniskerry area with regard to TPOs. If in the future resources are available, further survey work in this area can be undertaken.
- The County Development Plan has no role in altering NHAs or SACs sites which is a matter for the Department of the Environment Heritage and Local Government and the European Commission.
- The issue of access to amenity areas / sites, walking routes is addressed in Chapter 17 of the plan
- The issue of community and children's facilities is dealt with in Chapter 15 of the plan
- Infrastructural issues are addressed in Section C of the plan

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#### **Managers Recommendation**

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No change

## WICKLOW

### Summary of issues raised

115	Michael O'Sullivan & Maurice Sheehy	<p>This submission relates lands in the ownership of Broomhall Estates, Merrymeeting, Rathnew Co. Wicklow. The subject lands are located along the main road between Rathnew and Wicklow Town and measure a total of 2.4ha (6 acres). The subject lands are located within Action Area 2 of the Wicklow Environs Local Area Plan 2008 and are designated for industrial use.</p> <p>The submission proposes that the zoning on the subject lands be amended in order to accommodate, retail warehousing and discount foodstore, a cinema, a fast food restaurant and a medical and healthcare facility.</p>
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### Manager's opinion

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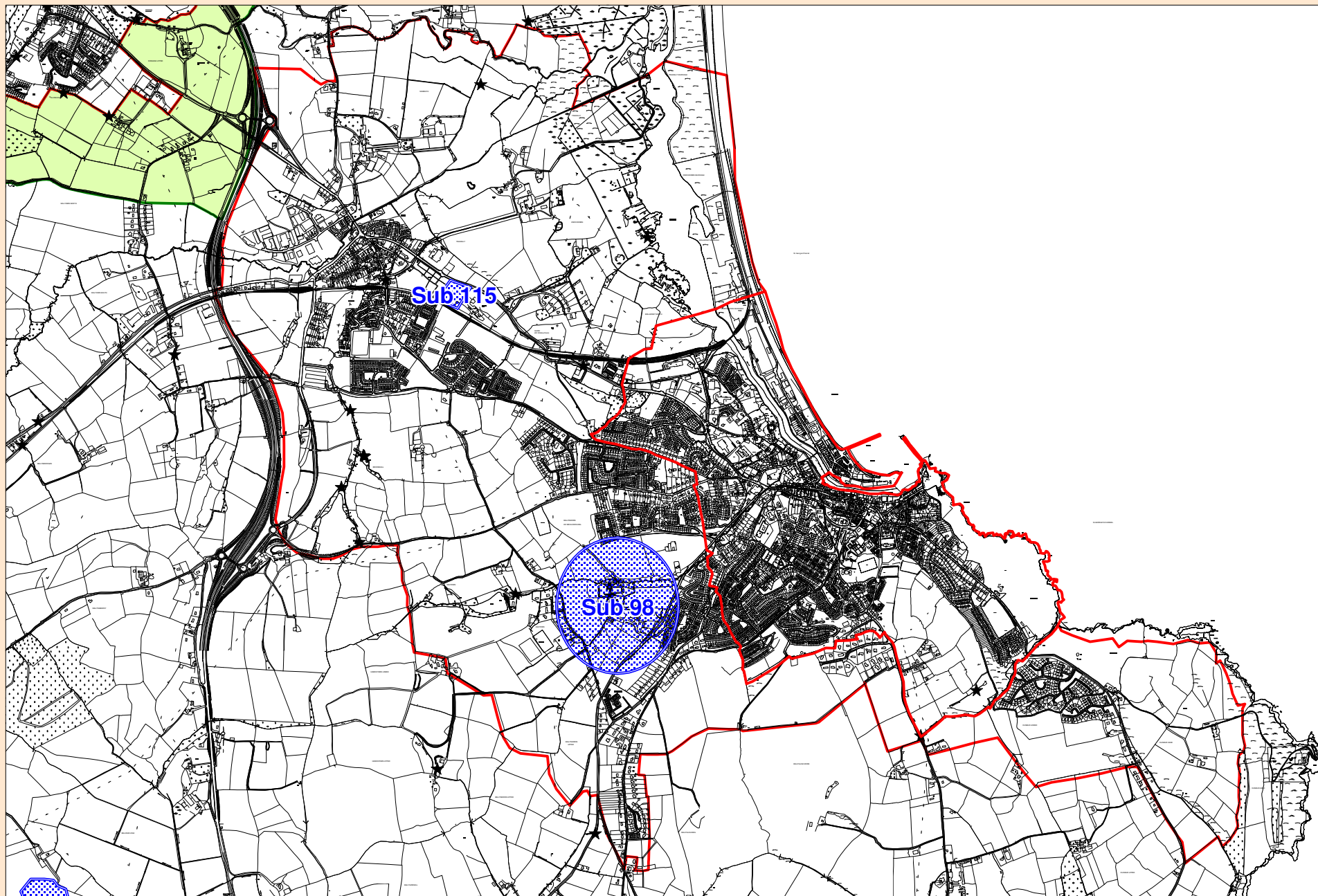
The subject lands are situated within the Wicklow Environs Local Area Plan, which was recently adopted in 2008. This plan sets out a framework for the planned, co-ordinated and sustainable development of the Wicklow Environs and Rathnew Areas over a 6-year period and does not form part of the County Development Plan process. The content of this submission cannot therefore be considered in this process.

### Manager's recommendation

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No change

# Wicklow Environs Local Area Plan



## LEGEND



Submission area outline

## CHAPTER 3

### ~~VISION & STRATEGIC GOALS~~

### CORE STRATEGY

#### 3.1 Introduction

The purpose of this chapter is to set out the vision for the future of the County and to provide a 'core strategy' for its spatial organisation over the plan period. This core strategy will be amplified and expanded upon in the ten strategic goals set out in this chapter and in the policies and objectives of the entire plan to follow.

~~This chapter sets out the overall strategy for the development of County Wicklow over the plan period. This strategy evolves from consideration of national, regional and local plans, strategies and guidelines, as set out in Chapter 2 and the overall vision for the County which is:~~

#### 3.2 Vision

*For County Wicklow to be a cohesive community of people enjoying distinct but interrelated urban and rural environments; where natural surroundings and important resources are protected; where opportunities abound to live and work in a safe atmosphere, allowing people to enjoy the benefits of well paid jobs, a variety of housing choices, excellent public services, ample cultural and leisure opportunities, and a healthy environment.*

#### 3.3 Core Strategy

The purpose of the core strategy is to show that the development objectives in the Development Plan are consistent as far as practicable, with national and regional development objectives as set out in the National Spatial Strategy 2002 – 2020 and the Regional Planning Guidelines for the Greater Dublin Area.

##### 3.3.1 Population & settlement

The population and settlement objectives for the County flow directly from the National Spatial Strategy 2002 – 2020 and the Regional Planning Guidelines for the Greater Dublin Area as described in Chapter 2 of this plan.

Chapter 4 of this plan sets out in detail the population and settlement strategies for the County and these are summarised as follows:-

- This plan will provide for the growth of the County from a population of 126,196 persons in 2006 to 164,280 persons in 2016 and 176,800 persons in 2022, in accordance with the regional population allocation provided by the Minister and the County allocation provided by the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022.
- This population will be allocated in accordance with the NSS and the draft RPGs as follows:
  - At least 42% of the growth allocated will be directed into the Metropolitan area settlements of Bray and Greystones, with Bray taking a larger share having regard to its designation in the RPGs as a Metropolitan Consolidation Town;
  - The majority of the remaining growth allocated shall be directed in the hinterland growth towns of Wicklow, Arklow, Newtownmountkennedy and Blessington, the growth weighted towards the large growth towns of Wicklow and Arklow;
  - Smaller towns and villages will be allowed to grow in a manner commensurate with their location and function in the settlement hierarchy, with a range of targeted growth controls employed to ensure that such settlements can prosper and absorb population, and to allow investment in services to be provided economically;
  - The rural population will be allowed to grow in absolute numbers in recognition of Government policy, the housing needs of the next generation of the rural natives and the predominantly rural character of the County; however, the overall proportion of County's population that is resident in the open countryside will reduce over time reflecting the implementation of the settlement objectives.

### 3.3.2 Housing & zoning

In order to accommodate this growth, it will be necessary for this plan to ensure that adequate provision is made for zoned housing / mixed use land. Chapter 4 of this plan sets out in detail the availability of land for housing, which is summarised as follows:-

- The County is planned to growth to a total population of 164,280 in 2016 and 176,800 in 2022. Of this, it is planned that by 2022, 76% will be resident in the 21 'towns' in the settlement hierarchy, an increase from 72% in 2006; the remainder of the population will be residents in rural villages and the open countryside;
- The growth in the population of these towns to c. 123,800 in 2016 will require the delivery of c.18,000 additional units and the growth to 133,800 in 2022 will require c. 28,000 additional units.

- Taking an average density of 20 units / hectare for zoned housing land and a plot ratio of 0.5 for zoned 'town centre' land, there is development capacity for 22,575 units in the towns of the County<sup>1</sup>;
- There is currently extant permission for c. 7,350 residential units in the towns of the County, giving a total development capacity of 29,925 units.

There is 65% more land designated for development in the County than is strictly required to meet the population target up to 2016, this surplus reducing to 7% for 2022. Of the settlements without development plans, only one is of significant size (Blessington) and it is unlikely that when plans are put in place for the remaining four settlements that this surplus would increase significantly. It is essential that a surplus is provided to take account for lands that are not released to market and land that may not be developable due to lack of essential services.

### 3.3.3 Infrastructure

#### Roads

The County is served by two national routes - the N11/M11 along the eastern coast and the N81 along the western border with Kildare and Carlow.

The N11 / M11 is part of Euroroute 01 and has undergone significant investment in the last 20 years. The final section of dual carriageway between Bray to the north and the Wexford to the south is due to be completed within the lifetime of the plan – the Ballinabarney to Arklow Scheme. Having regard to the limitations of the mainline rail route in the County (see below), the N11/M11 will continue to be the principal access corridor in the eastern side on the County.

The N81 has also been upgraded during the lifetime of the previous plan but not to the same extent as the N11. The NRA National Road Design Office has undertaken a constraints study of the N81 from Tallaght to Hollywood with a view to determining a range of possible improvements, including rerouting some of the existing road from the County boundary to the north to Hollywood Cross.

The County is served by a network of regional and local roads, which are essential for inter-county traffic and east-west connections and local movements.

- In light of the likely continuing car dependency to access the metropolitan region in the short to medium term, it is the strategy of this plan to facilitate and encourage

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<sup>1</sup> Excluding Blessington, Avoca, Donard and Kilmacanogue which do not have development plans and therefore no zoned land

measures to improve capacity and efficiency of the national routes and facilitate the improved use of the national routes by public transport

- The priority for regional road improvement will be with east-west connector routes i.e. the Sally Gap (R759), the Wicklow Gap (R756) and the R747 (Arklow – Tinahely – Baltinglass)

## **Rail**

The County is served by one heavy rail line – the Dublin to Rosslare route, which is single track only from Bray and has only 6 functioning stations from Bray to Arklow. The limited capacity on this route does not render rail travel an attractive or viable option for many users.

It is proposed to extend the LUAS light rail system to Bray. This will reinforce the role of Bray as the primary settlement in the County and will provide an option for removing car traffic from the N11/M11 north of Bray with the provision of park-and-ride facilities.

- It is the strategy of this plan to encourage and facilitate significant improvements to heavy and light rail infrastructure, including the provision of new lines and new stations.

## **Water**

The County is deficient in water services in most areas. This lack of services is preventing the County from fulfilling its functions under the NSS and the RPGs. The provision of a settlement hierarchy in this plan will set a framework for the delivery of necessary strategic infrastructure, including water and wastewater services to the growth towns of Bray, Greystones, Wicklow and Arklow.

- It is the strategy of this plan to facilitate significant improvements to water infrastructure, with priority for investment being derived from the County Settlement Strategy

### **3.3.4 Retail**

The development plan includes a retail strategy for the entire County, which is consistent with the GDA Regional Retail Strategy. In accordance with the Retail Planning Guidelines, the retail strategy for Wicklow will include the following:-

- Confirmation of the retail hierarchy, the role of centres and the size of the main town centres;



- Definition in the development plan of the boundaries of the core shopping area of town centres;
- A broad assessment of the requirement for additional retail floorspace;
- Strategic guidance on the location and scale of retail development;
- Preparation of policies and action initiatives to encourage the improvement of town centres;
- Identification of criteria for the assessment of retail developments.

### 3.4 Key strategic goals

In order to implement this vision and core strategy, it is necessary to set out a number of strategic goals that will underpin all the policies and objectives of this plan.

~~In order to implement this vision, it is necessary to set out a number of strategic goals that will underpin all the policies and objectives of this plan.~~

### 3.2 Key strategic goals

**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.*

To achieve this goal, a County settlement strategy is put in place that will guide the location of new development during the plan period and beyond. This strategy will establish a hierarchy of settlements based on their role and capacity for growth and will determine what levels and type of future development shall be allowed to occur at each level in the hierarchy.

- Strategic Policies**
- To structure and manage the spatial organisation of the County, having regard to the principles of proper planning and sustainable development, and the guidance given by the National Spatial Strategy 2002-2020, and the Regional Planning Guidelines for the Greater Dublin Area 2004 – 2016;
  - To manage the County's settlement in accordance with the settlement strategy hierarchy of settlements and population apportionment;
  - To direct growth into the designated metropolitan growth centre and the large, moderate and small growth towns in the hinterland area, whilst recognising the settlement requirements of rural communities;
  - That all water, transportation and community infrastructural investments shall be informed by and based upon the County settlement strategy and hierarchy of settlements;
  - To ensure that the zoning of land is referenced by the County settlement strategy, that it is based upon rational planning grounds and a clear evidence based core strategy.

**GOAL 2**      *To facilitate and encourage the growth of employment, enterprise and economic activity in the County, across all economic sectors and in all areas.*

The promotion of economic activity is key to the future development of the County and may be facilitated through:

- encouraging a broad range of enterprise development within the County thereby avoiding dependence on a specific sector;
- adopting a cohesive and co-ordinated approach to the provision of incubation/start up units throughout the County;
- identifying key success traits of current development initiatives and highlight what is creating blockages to future development and addressing these blockages;
- promoting the provision of necessary infrastructure required for the development of industry e.g. broadband;
- creating linkages with third level education providers;
- addressing regional disparities to ensure the benefits of growth and development are evenly distributed and dispersed throughout the County;
- promoting economic growth and potential employment opportunities in the rural areas of the County in order to sustain vibrant and sustainable rural communities.

**Strategic Policies**

- To enhance the range and number of employment opportunities in the County, to increase the jobs ratio (i.e. the ratio of jobs available in the County compared to Wicklow labour force) from 0.65 in 2006 to 0.7 by 2016 and 0.75 by 2020 and to reduce the excessive commuting distances and trip times undertaken by the County's working population.
- To facilitate the development of high technology and high value employment, including the manufacturing sector, research and development and science, to create a knowledge based economy and to build strong linkages between education, research and employment, and promote the third level institute at Clermont as a centre of excellence;
- To promote the development of the tourism sector in a sustainable and environmentally sensitive manner, to capitalise on the County's tourism and recreational assets and generate wealth and employment in the County through the provision and upgrading of tourism infrastructure that will extend the stay and spend of tourists in the County;
- To protect and enhance key built and natural assets that are of integrity per se, and critical to the development of a sustainable economy;
- To overcome the County's water infrastructural deficits and in particular wastewater infrastructure to ensure such under provision does not impede economic development and wealth creation;
- To promote and facilitate the development and expansion of the electricity transmission and distribution grid and to encourage improved availability of a high quality, high-speed information, telecommunications and broadcasting networks.

**GOAL 3** *To integrate land use planning with transportation planning, with the dual aim of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, and facilitating the delivery of improved public transport.*

The 2006 Census figures give an indication of commuting patterns in Wicklow. The figures indicate that the County has by far a greater percentage of people travelling for longer lengths of time than the national average, with the percentage of people travelling 1–1.5 hours to work, school or college at 10%, which is nearly double the national average of 6%. Similarly, County Wicklow residents have longer distances to travel, with significantly higher numbers of people travelling 25 kilometres and longer, at 20%, compared to the national average of 12%.

This level of commuting is unsustainable on many fronts, including socially, economically and environmentally, and is an important contributor to assessing the overall quality of life for the inhabitants of the County. Reducing the need to travel long distances by private car, and increasing the use of sustainable and healthy alternatives, can not only bring multiple benefits to both our environment and communities, but also to our own mental and physical wellbeing.

**Strategic Policies**

- 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;
- 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;

**GOAL 4**                    *To enhance existing housing areas and to provide for high quality new housing, at appropriate locations and to ensure the development of a range of house types, sizes and tenures in order to meet the differing needs of all in society and to promote balanced communities.*

The Housing Strategy, which forms part of this plan, sets out projected housing growth, the availability of zoned and serviced land to meet this demand, and the issue of housing affordability based upon, in the main, projections of income and housing unit prices.

While it is estimated that there is sufficient land to meet Wicklow's housing needs up to 2016, limitations in water and particularly wastewater capacities have and will continue to present serious blockages to development. Wastewater collection and treatment deficits may persist to 2014 and beyond. This key finding has implications for the spatial distribution of development within the County, with housing demand capable of being met in the north and east of the County and significant restrictions elsewhere.

In its appraisal of housing affordability, the Housing Strategy estimates that up to 40% of new households formed over the plan period will expect affordability challenges and 20% will clearly not be able to enter the housing market.

**Strategic Policies**

- To zone sufficient land in accordance with the County's Settlement Hierarchy, to accommodate the projected increase in population and households over the plan period;
- To promote the delivery of appropriately scaled and located employment, retail and social / community infrastructure in tandem with new residential development;
- To ensure that new retail, employment, education, community and recreational facilities are directed to the locations with the highest concentration of residents;
- To adequately service zoned land where housing demand exists and or is planned;
- To ensure that a mixture of house types and sizes is developed to reasonably match the requirements of the different categories of households including the range of social and affordable housing identified by The County Housing Strategy;
- To ensure new housing developments are designed and constructed to the highest of standards.

**GOAL 5**      *To maintain and enhance the viability and vibrancy of settlements, to ensure that towns and villages remain at the heart of the community and provide a wide range of retail, employment, social, recreational and infrastructural facilities.*

While a high proportion of the County's residents live outside towns, the settlements of the County provide a significant component of employment, retail, social and cultural needs for all of the County's people. While the proportion of the County's population living in towns and villages is gradually increasing, the future viability of our towns and villages is under threat, particularly because of the significant outflows of retail expenditure from the County.

Notwithstanding this, the County's towns and villages are best placed to absorb additional growth and in accordance with the County settlement strategy, new development is to be directed into settlements. With additional development comes the need for the implementation of appropriate development standards, that result in a good mix of development types, high quality development and places and improved viability of infrastructural services (including public transport). In these regards, the density of development requires to be appropriately managed.

- Strategic Policies**
- To promote the development of the County's urban settlements and in the interests of maintaining higher order economic development, social and cultural infrastructure, promote efficiencies in engineering services and transportation;
  - To encourage higher residential densities in urban centres, and to reflect this in local area and town plans;
  - To seek to address dereliction and urban decay by supporting urban regeneration projects;
  - To 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;
  - To direct new retail activities into existing urban centres, in accordance with the Retail Planning Guidelines for Local Authorities (2005), the Retail Strategy for the Greater Dublin Area (2008) and the County Retail Strategy;
  - To retain a greater percentage of retail expenditure in the County, to stem expenditure outflows and in particular the excessive leakage of comparison spend and to encourage the increased provision of both comparison and convenience retail opportunities in the County.

**GOAL 6**      *To protect and enhance the County's rural assets and recognise the housing, employment, social and recreational needs of those in rural areas*

Wicklow's proximity to Dublin, which allows for easy access to the main commercial and employment centres of the Metropolitan area, coupled with its beautiful landscape and amenities, has led to considerable urban generated pressure for housing in our rural area and smaller villages. This has resulted in competition for housing sites and difficulties for rural natives in securing suitable sites. In accordance with 'Sustainable Rural Housing – Guidelines for Planning Authorities' (DoEHLG) 2005, this plan recognises that people who are part of the rural community should be facilitated by the planning system in all rural areas, including those under strong urban-based pressures.

Furthermore, the decline in the primary sectors of agriculture, forestry and fishing has resulted in the need to diversify the rural economy into alternative resource based industries as well as appropriate non-resource based activities.

These housing and employment activities require to be accommodated in such a way that does not diminish the County's rural assets, including our landscape, nature designations, water quality and the safety of all road users, including pedestrians and cyclists.

**Strategic Policies**

- Rural housing development shall be in accordance with the provisions of "Sustainable Rural Housing - Guidelines for Planning Authorities" (DoEHLG 2005), the sustainable settlement policy framework as articulated in the National Spatial Strategy and the rural housing strategy and objectives set out in this plan;
- That rural housing shall be accommodated where rural housing need has been established, where it strengthens the established structure of villages, smaller settlements and other rural areas, where it sustains and revitalises established rural communities and does not endanger key rural assets or the vitality and viability of the higher order County Settlements;
- To minimise the impacts of new rural housing, in terms of adverse effects on the landscape, water quality, natural and built heritage and road users;
- To address the changing nature of the rural economy by promoting the diversification of employment options and towards maximising the potential of resource based development in the areas of forestry, marine, rural enterprise and services, natural resources, renewable energy production, tourism and agri-tourism. To promote re-structuring and efficiencies

**GOAL 7**            *To protect and improve the County's transport, water, waste, energy and communications infrastructure, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna or other natural features*

**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.**
- To promote and facilitate the improvement of the mainline train and DART services and to promote the linkage of the LUAS extension to Bray and Fassaroe and the linking of both DART and LUAS at Bray.
- To continue the County's investment in water services infrastructure and in particular investment in waste water infrastructure to ensure that existing barriers to growth, economic progress and the sustainable development of the County, are removed
- To implement the provisions of the "Planning System and Flood Risk Management" Guidelines (2008), have regard to the guidelines, objectives formulated around flood management, avoidance of development in flood risk areas, reduction and mitigation of risk and flood risk management and assessment.
- To implement the Wicklow Waste Water Management Plan 2006 – 2011 and have regard to the National Waste Prevention Plan 2009, and the National Hazardous Waste Management Plan.
- It is policy to pursue best practice in accordance with the Waste Management Hierarchy and formulate guidance regarding solid waste management including green waste and waste to energy facilities, hazardous waste and emissions, emissions to air, noise and light pollution.



**GOAL 8**      *To promote and facilitate the development of sustainable communities through land use planning, by providing for land uses capable of accommodating community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups, in tandem with the delivery of residential and physical infrastructure in order to create a quality built environment in which to live.*

The term “community development” refers to a complex and broad range of actions and measures involving a wide range of practitioners and bodies with the common aim of improving various aspects of local communities. There are however two key strands to the development of ‘sustainable communities’:

- (1) Facilitating communities in developing the skills, capacities and projects needed to enable them to have a greater say in the management of their own futures;
- (2) Facilitating access to the goods, services and structures within society for all, and particularly for those that are marginalised and powerless (‘social inclusion’).

**Strategic Policies**

- To ensure the provision of a comprehensive, integrated infrastructure of social and community facilities through out the County.
- To ensure the provision of social and community facilities as an essential part of the development of settlements where the scale and range of such infrastructure provided shall be in accordance with the Hierarchy Model of community facilities prepared under Strand 3 of County Development Levy scheme;
- That land use planning facilitate the delivery of social and community projects, the improved physical access to goods and services and the overall improvement in the quality of the built environment including the provision of open space.

**GOAL 9                    *To protect and enhance the diversity of the County's natural and built heritage***

Wicklow's built heritage wealth is reflected in its abundance of archaeological and historical sites and monuments ranging from the late bronze age right through Christian, Viking, Norman and medieval eras, large county houses, planned estate villages, Georgian houses and other vernacular structures as well as bridges, harbours, stone walls and structures and sites associated with mining, industrial, political and religious heritage. The County's natural heritage includes an excellent diversity of natural and semi-natural habitats such as marine, coastal, wetland, woodland, lake, river and upland habitats that in turn support a diverse and varied flora and fauna.

Our natural and built heritage is under threat and is being diminished by, in the main, the pressures wrought by population growth and economic change and development. The Council recognises heritage's intrinsic value, and the importance of protecting and conserving Wicklow's heritage potential to the economic, social, cultural and environmental development of the County.

**Strategic Policies**

- To protect, conserve and enhance buildings, areas, structures, sites and features of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.
- 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 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)*
- To protect and promote the enhancement of the natural and built environment and the coastal zone as identified in the County Development Plan. Facilitate and strictly control appropriate development, prohibit development that is detrimental to coastal areas while minimising the adverse impacts of existing activities, promote the economic, social, cultural and environmental use of the coast, the bio-diversity of coastal cells and their critical support systems.

**GOAL 10** *To address the climate change challenge, as a plan dynamic, throughout the County Plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives.*

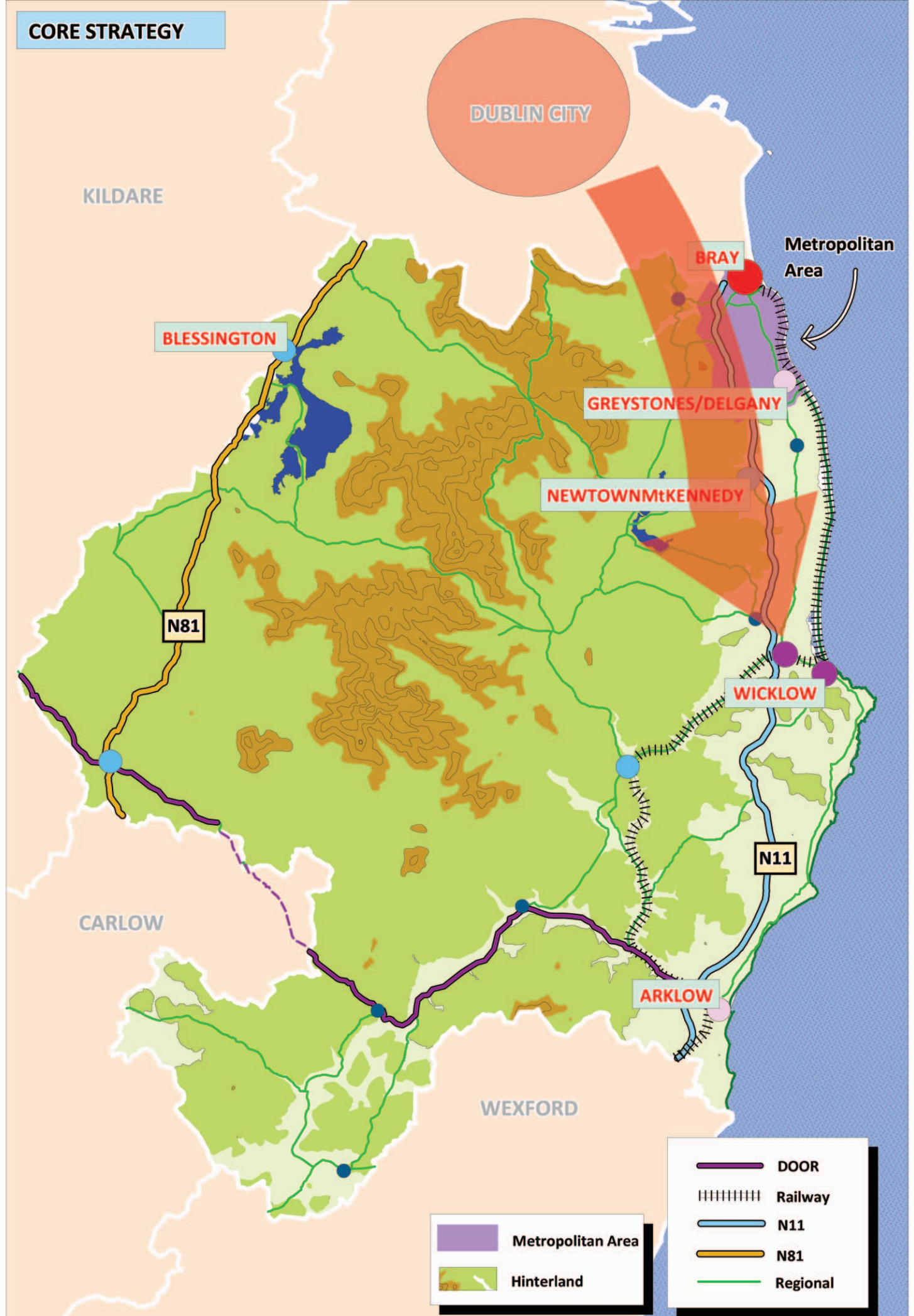
We predominately use fossil fuels, non-renewable resources, such as coal, oil and natural gas, to generate energy. We inevitably face the depletion of these resources in the future and the associated risk of security of fuel supply. Furthermore the combustion of such fuels results in greenhouse gas emissions. The development of renewable energy shall be to the forefront of Wicklow County Council's policy formulation to ensure that our use and dependence on fossil fuels be reduced.

Flooding is an area of special planning concern, in the main attributable to the noticeable increase in the severity and frequency of flooding, and because of failure to appropriately take account of flood risk and the subsequent wide ranging costs incurred.

**Strategic Policies**

- To facilitate the minimisation of emissions to the air of greenhouse gases in accordance with international and European agreements and the National Climate Change Strategy. In this regard, the Council will support any appropriate initiatives taken to provide for more sustainable forms of energy use.
- To have regard to the National Climate Change Strategy (2007), the Government White Paper "Delivering a Sustainable Energy Future for Ireland - The Energy Policy Framework" (2007), the Wind Energy Guidelines for Planning Authorities (2006) and the Planning & Development Acts 2000 – 2007 in the development of appropriate strategies and objectives for the development of alternative and renewable energy, in particular Wind Energy;
- To reduce energy demand in the areas of primary consumption being transport, electricity and heating, particularly through improved integration of land use and transportation planning and higher standards of building design;
- To implement the provisions of the "Planning System and Flood Risk Management" Guidelines (2008), have regard to the guidelines, objectives formulated around flood management, avoidance of development in flood risk areas, reduction and mitigation of risk and flood risk management and assessment.

CORE STRATEGY



## CHAPTER 4

### POPULATION, HOUSING & SETTLEMENT

#### 4.1 Introduction

This chapter sets out the population, housing and settlement strategies and policies for County Wicklow for the plan period and up to 2022. These strategies will seek to:-

- Set out a plan for the growth of the County's population growth over the plan period and beyond, in accordance with historical trends and targets set by the National Spatial Strategy 2002 – 2020 (NSS) and Spatial Policy Unit of the DoEHLG ;
- Project the housing requirements of this growing population and evaluate issues arising with regard to housing supply and affordability;
- Set out a settlement strategy for this growing population, which will be consistent with the settlement and growth strategy of the National Spatial Strategy 2002-2020 (NSS) and the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 (RPGs). This strategy will identify the different types of the settlements in the County, outline their different roles and will set out indicative population targets for each settlement.

The County Wicklow Housing Strategy, which forms part of the draft plan and is a statutory requirement under the Planning Acts, provides the in-depth analysis on which these strategies are based (the complete Housing Strategy is set out in Volume 3 of this draft plan).

#### 4.2 County population projections

County Wicklow is located in the most rapidly growing region in Ireland today (the 'Mid-East' region comprising the counties of Kildare, Meath & Wicklow). However, the rate of population growth in the County has not kept pace with other counties in the region. Its population has increased from 114,676 in 2002 to 126,196 in 2006, an increase of just under 11,520 people (Table 4.2A). This equates to a growth rate of 10.04%. This rate of growth is significantly below the growth rate in the other counties in the region as shown in Table 4.2B. Furthermore, Wicklow's share in the population of the region has been falling year on year, as shown in Table 4.2C below.

**Table 4.2 A: Wicklow population 1996-2006**

Year	Population	% change
1996	102,683	5.6%
2002	114,676	11.7%
2006	126,196	10.04%

**Table 4.2 B: Growth rates in Mid-East Region 2002-2006**

Year	2002	2006	% change
Region	412,625	475,362	15.2%
Kildare	163,944	186,335	13.7%
Meath	134,005	162,831	21.5%
Wicklow	114,676	126,196	10.04%

**Table 4.2 C: Wicklow's share of Mid-East Region population 1996-2006**

Year	Mid-East	Wicklow	Share
1996	347,407	102,683	29.5%
2002	412,625	114,676	27.8%
2006	475,362	126,196	26.5%

*Source: CSO Census of population 1996, 2002 & 2006*

The Central Statistics Office published new projections for national population growth in April 2008 and regional population growth in December 2008. These publications outline a number of growth scenarios up to 2026, making different assumption about fertility, mortality and international migration. A total of eight different scenarios are identified in the national projections and four scenarios for the regional projections, with the total population projected in the mid-east region up to 2021 ranging from 629,000 to 746,000 (from 475,362 in 2006).

These *projections* were evaluated by the Spatial Policy Unit of the Department of the Environment, Heritage & Local Government, which published new regional *targets* in January 2009. It is important to note that the CSO projections do not take account of NSS policy, which aims to achieve more a more balanced growth across the Country through coordinated implementation of NSS principles. Therefore the regional population targets set out in the DoEHLG's document are based on a view of future development trends which are significantly influenced and driven by the NSS and thus differ in concept and practice from the CSO projections. Furthermore, the DoEHLG regional targets differ from the CSO projections in that they set out population breakdowns at 2010, 2016 and 2022. These dates are in line with the 6-yearly cycle for the review of the RPGs.

Table 4.2 D: DoEHLG Regional Population Targets 2010, 2016 and 2022

	2008	2010	2016	2022 (low / high range)
<b>Border</b>	492,500	511,000	552,700	595,000 - 611,400
<b>Dublin</b>	1,217,800	1,256,900	1,361,200	1,464,200 - 1,504,500
<b>Mid-east</b>	514,500	540,000	594,600	639,700 - 657,200
<b>Midland</b>	266,800	275,600	297,300	317,100 - 325,800
<b>Mid-west</b>	371,900	383,800	427,200	462,300 - 475,000
<b>South-east</b>	487,800	507,900	542,200	580,500 - 596,500
<b>South-west</b>	644,600	667,500	737,100	795,000 - 816,900
<b>West</b>	426,100	442,200	484,700	521,400 - 535,700
<b>State</b>	<b>4,422,000</b>	<b>4,584,900</b>	<b>4,997,000</b>	<b>5,375,200 - 5,523,000</b>

Source: Department of the Environment, Heritage and Local Government, 2009

The distribution of this population target across the three mid-east region counties will be determined in the new RPGs for the GDA, that will not be published until 2010. However the draft RPGs will be on display during 2009 and will give a strong indication of how this population will be distributed, but these figures are not available for this draft Plan.

This draft plan must therefore be framed in the absence of these final allocations. It is assumed however that the RPG strategy will endeavour to redress the population imbalance between Wicklow and the other counties in the mid-east region and attempt to increase Wicklow's share in the region's population. In this regard, population projections in this draft plan are based Wicklow's share in the region's population returning to 2002 levels by 2016 (27.8%) and increasing further to 28.8% by 2022.

As it is an overriding aim of the plan to be consistent with the RPGs, it is intended to update this plan during the adoption process to incorporate the RPG figures when they are available.

The distribution of this population target across the three mid-east region counties is determined in the new RPGs for the GDA 2010-2022 and this plan will accord with the population allocations provided in the guidelines.

Table 4.2E: Wicklow Population Targets 2016 and 2022

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

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



#### 4.2.1 Population Objectives

**POP1** To facilitate the growth of the population in County Wicklow, in accordance with the National Spatial Strategy 2002-2020 (NSS) and the (prospective) Regional Planning Guidelines for the Greater Dublin Area 2010-2022.

**POP2** To increase the rate of population growth in the County, to redress the imbalance in growth between County Wicklow and other counties in the mid-east region.

#### 4.3 Settlement Strategy

The purpose of a settlement strategy is to direct development to those locations that are the most suitable for growth. To achieve this aim, it is necessary to establish a hierarchy of settlements based on their role and capacity for growth and to determine what levels and type of future development shall be allowed to occur at each level in hierarchy.

##### 4.3.1 Settlement hierarchy

The idea of a hierarchy of settlements is crucial to the achievement of regional dispersal and balanced growth in the County. As set out in the NSS, a settlement hierarchy will incorporate a range of settlements from small to large and concerns spatial distribution, service and economic functions as well as population. The idea of hierarchy suggests that several smaller settlements should be clustered around and readily accessible from the larger settlement next above it in the hierarchy. This is a principle which would maximise the accessibility of the full range of services and job opportunities from any location.

As with the 2004 County Development Plan, the hierarchy is divided into 'urban' settlements and 'rural' settlements. The positioning of the settlements in the 'urban' sector is relatively straight forward as the RPGs provide guidance and definitions of settlement types according to size and function. ~~However, there is one significant departure to note:-~~

~~Baltinglass and Rathdrum are elevated to moderate growth towns, in the same category as Blessington and Newtownmountkennedy~~

- ~~\* Baltinglass is a strong settlement, has a long history as a population centre and it dominates an extensive geographical area, albeit an area of lesser population than similar sized catchments in the north or east of the County. It has a wide range of services including retail, second level education, industry, warehousing, utilities and amenity that could support increased growth. The south west of the County is currently~~



~~lacking in a strong growth pole, to act as an attractor of people and investment. Furthermore, obstacles to the expansion of wastewater treatment facilities in Blessington are likely to result in limited potential for expansion up to 2016. The designation of Baltinglass will therefore provide an alternative growth centre in the medium term for the west of the County.~~

- ~~\* Rathdrum again is a strong town with a full range of infrastructural and social services, which services a wide rural area. In addition, Rathdrum is served by the mainline railway line from Dublin to Rosslare. It is considered wholly consistent with the spirit of the RPGs that Rathdrum be designated for population growth given this sustainable form of transport available to the Metropolitan area.~~

The 2004 County Development Plan divided the small town category (1,000-5,000 population) into two categories (Small Growth Town 1 and Small Growth Town 2), with the more rural of these settlements being placed in the 'rural' zone of the hierarchy, notwithstanding population targets. A similar differentiation is maintained in this plan, with Small Growth Towns Type 1 being renamed 'Small Growth Towns' and Small Growth Towns Type 2 being renamed 'Rural Towns'.

There were 73 'rural' settlements designated in the 2004 County Development Plan, across four levels in the hierarchy. While similar levels are maintained in this plan, the positioning of all towns has been reviewed. This entailed the undertaking of an 'audit' of all settlements in the 'rural' zone with regard to essential services available in each<sup>1</sup> and an evaluation of the character and function of each settlement.

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<sup>1</sup> Availability of mains water supply and mains sewerage, school, shop, pitch / sports club, church, Garda Station, public house, post office

**Table 4.3 A: County Wicklow Settlement Hierarchy 2010-2016**  
**(See Maps 4.01 & 4.02 at the end of this chapter)**

Level	Settlement type	Settlement name		
1	Metropolitan consolidation town	Bray		
2	Large Growth Town 1	Wicklow / Rathnew		
3	Large Growth Town 2	Arklow	Greystones / Delgany	
4	Moderate growth town	Baltinglass Blessington	Newtownmountkennedy Rathdrum	
5	Small Growth Town	Ashford Aughrim Baltinglass Carnew	Enniskerry Kilcoole Rathdrum Tinahely	
URBAN – RURAL DIVIDE				
6	Rural Town	Avoca Donard Dunlavin	Kilmacanogue Newcastle	Roundwood Shillelagh
7	Large Villages	Barndarrig Ballinaclash Coolboy Glenealy Hollywood	Johnstown/ Thomastown Kilpedder / Willowgrove Kiltegan	Knockananna Laragh - Glendalough Manor Kilbride Redcross Stratford
8	Small Villages	Annacurragh Annamoe Askanagap Ballyconnell Ballycoog Ballyknockan Ballynacarrig (Brittas Bay)	Connary Coolafancy Coolkenno Donaghmore Grangecon Greenan	Kirikee Knockanarrigan Lackan Moneystown Rathdangan Valleymount
9	Rural Clusters	Ballinglen Ballyduff Ballyfolan Ballynultagh Baltyboys Boleynass Barraniskey Carrigacurra Crab Lane Coolattin Croneyhorn	Crossbridge Davidstown Glenmalure Goldenhill Gorteen Kilamoat Kilcarra Killiskey Kilmurray (NMKY) Kilmurray (Kilmacanogue) Kilquiggan	Kingston Macreddin Moynes Mullinacluff Oldcourt Park Bridge Rathmoon Redwells Stranakelly Talbotstown Tomicork Tomriland
10	Rural Areas i.e. any location outside the development boundary of any settlement listed above			

### 4.3.2 Population allocation

The population allocated to Wicklow by the draft Regional Planning Guidelines for the Greater Dublin Area 2010-2016 requires to be distributed throughout the County. This population distribution is required to underpin the NSS and the RPG settlement strategy for gateways and hubs. In this regard, the RPGs indicate that the Metropolitan area (Bray and Greystones) should increase to a population of 56,213 in 2016 (i.e. combined growth of 12,830) with the remainder of the growth allocated to be distributed around the County, with the majority being directed into the growth towns. In this regard, the population figures have been crafted to gradually increase the proportion of the County's residents living in the 21 towns from 72% in 2006 to 75% in 2016 and 76% in 2022.

It is necessary for this plan to also make provision for rural growth in the County given the high proportion of the County's residents living in rural areas and the likelihood that demand for rural housing will continue into the future, notwithstanding the overall aim to direct new population into designated settlements.

In this regard, in 2006, approximately 35,500 persons were residents outside of the 21 designated towns in the County, of which approximately 30,300 were residents in the open countryside (24% of the total County population). This plan allows for rural population growth to c. 40,500 in 2016 and 43,000 in 2022. This equates to an overall reduction in the proportion resident in rural areas from 28% in 2006 to c. 24.7% in 2016 and 24.3 % in 2022. This is considered to be in accordance the provisions of the NSS, the RPGs and the Sustainable Rural Housing Guidelines.

~~The 2006 Census revealed that approximately 72% of the County's population lived in one of the 21 settlements designated as towns in this draft County Development Plan (i.e. Levels 1-6). This increased slightly from the 2002 (71%) and the 1996 (70%) Censuses.~~

~~In 2006, of the c. 35,500 persons resident outside the larger settlements, it is estimated (using GeoDirectory data<sup>2</sup>) that approximately 5,200 of these lived in villages or rural clusters (i.e. Levels 7-9). Therefore approximately 30,300 persons were resident in the open countryside, outside of any designated settlement. This is approximately 24% of the total County population.~~

~~With the continued implementation of the NSS and the RPGs it is expected that the *relative proportion* of the County's population living in rural areas will decline further up to 2022 and~~

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<sup>2</sup> ~~GeoDirectory is the complete database of buildings in the Republic of Ireland. It assigns each property its own individual fingerprint — a unique, verified address in a standardised format, together with a precise Geocode.~~

~~population allocations for the larger 21 settlements therefore will aim to absorb up to 77% of the County's population by 2022 (i.e. 142,000 — 146,000 persons). While the relative proportion living in rural settlements and open countryside is planned to fall, the absolute numbers in such locations is expected to increase gradually along the same trends evident since 1996 i.e. growth in number of people living in rural areas by 500 per annum (of which 66% would be in the open countryside). This would mean that by 2022, the total number of people living in the open countryside would be in the order of 35,278 persons, compared to 30,328 in 2006.~~

Population has been allocated over the period of the plan 2010-2016 and up to 2022 in order to provide a longer term timeframe for the planning and delivery of services, in particular water infrastructure. The current availability or otherwise of such infrastructure will not therefore dictate the growth target for each town up to 2022, but where it is known (based on the water services investment programme) that services are likely to be unavailable within the period of this plan (i.e. up to 2016), more substantial growth will be targeted for the next plan period, up to 2022.

The 2011 figure is based on an estimate of actual and likely growth in the settlements between 2006 and 2011 having regard to known capacities and developments granted permission between 2006-2009.

~~The targets for 2016 are based on those set out in the 2004 County Development Plan (as varied), adjusted where it is clear that the target cannot be reached due to infrastructural constraints which are not expected to be addressed before 2016. Assuming a gradual move to a higher proportion residing in the County's towns (assuming 75% by 2016),~~

The total population allocated to the 21 towns in the County in 2016 ~~for these towns~~ is actually ~~44~~12% higher than required. This modest 'market factor' is considered necessary in order to ensure that the plan provides opportunities and options for development across the whole County (which will give people choice as to their housing location) and to recognise that it is inevitable that over time some settlements will not develop or develop at different stages, either slower or faster than others for a variety of reasons.

The target for 2022 is based on a further increase in the proportion living in the larger 21 settlements to ~~77~~ 76% and again a market factor of ~~45-23~~%, given the long time line involved and the inability to predict what factors will determine the growth rates of individual settlements that far into the future.

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
	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
Small Growth Towns	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
Rural Towns	Avoca	490	564	622	700	800	900
	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%	15 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	165,299 164,280	186,754 176,800

While the Census does not generally provide population surveys for smaller settlements, populations can be estimated based on the recorded number of houses in the GeoDirectory in each as of April 2006 (the time of the 2006 Census) multiplied by the County average household size in 2006 (2.89). Growth targets for settlements below Level 6 are set out in Chapter 6 (Rural Development).

#### **4.3.3 Settlement Objectives**

- SS1** To implement the County Wicklow settlement strategy having regard to the availability of services and in particular, to direct growth into the designated metropolitan growth centre and the large, moderate and small growth towns in the Greater Dublin hinterland area.
- SS2** To ensure that the designated large growth towns will insofar as is practical, be self sufficient, incorporating necessary employment, retail, social and services infrastructure.
- SS3** To require new housing development to locate on designated housing land within the boundaries of settlements, in accordance with the development policies for the settlement.
- SS4** To implement the population growth targets as set out in Table 4.3, to monitor development and the delivery of services on an ongoing basis and to review population allocations where service delivery is impeded.

## 4.4 Housing Strategy

The draft Wicklow Housing Strategy sets out:-

- The demand for new housing that will arise out of the projected growth in County population over the life of the strategy and this development plan (i.e. up to 2016);
- An assessment of the availability of zoned and serviced land, to meet this housing demand;
- An evaluation of housing affordability over the life of the strategy based on projections of future income and house prices.

### 4.4.1 Demand for housing

The demand for housing is a result of the formation of new households. This can be either fuelled by indigenous growth e.g. young adults moving out of the family home and buying their first property, or the movement of new households into the County. There has been a strong rate of household growth in County Wicklow between 1996 and 2006, with both intercensal periods showing an increase of around 17%.

**Table 4.4 A: Number of households & household size, Co. Wicklow 1996-2006**

Year	1996		2002		2006	
	Number of households	Average household size	Number of households	Average household size	Number of households	Average household size
	31,134	3.22	36,572	3.06	42,870	2.89
<b>increase</b>			+6,298		+5,438	
<b>% increase</b>			+17.2%		+17.5%	

*Source: CSO Census of population 1996, 2002 & 2006*

On the basis of the County population target set out earlier in this chapter and assuming a decrease in household size to 2.56 by 2016, the following table sets out the number of new households that will be formed and the number of additional housing units that will be required over the plan period.

**Table 4.4 B: Population projections & projected growth in households 2006-2016**

Year	Population	Total population in private households <sup>3</sup>	Average household size	Number of private households	% increase	Number of new households to be formed per annum	Number of additional housing units required <sup>4</sup>
2006	126,194	123,670	2.89	42,870			
2007	128,693	126,119	2.86	44,098	2.9%	1,228	1,301
2008	131,192	128,568	2.83	45,430	3.0%	1,333	1,413
2009	133,691	131,017	2.79	46,960	3.4%	1,529	1,621
2010	136,190	133,466	2.76	48,357	3.0%	1,398	1,482
2011	138,691	135,917	2.73	49,787	3.0%	1,429	1,515
2012	143,809	140,933	2.69	52,391	5.2%	2,605	2,761
2013	148,927	145,948	2.66	54,868	4.7%	2,476	2,625
2014	154,044	150,964	2.63	57,401	4.6%	2,533	2,685
2015	159,162	155,979	2.59	60,224	4.9%	2,823	2,992
2016	164,280	160,994	2.56	62,888	4.4%	2,665	2,825

~~An analysis in the pattern of change in the age structure of the County since 1996 shows that there has been a decline of persons in the 0-24 age group in the County from 42% in 1996 to 36% in 2006. This is likely to have an impact on the rate of 'indigenous' household formation over the strategy. There is also a trend towards a greater proportion of the County's population in the older cohorts (55 years+).~~

**Table 4.3C: Percentage of persons in each age group, 2006**

Year	0-14	15-24	25-39	40-54	55-64	65+
2006	22%	14%	24%	20%	10%	10%
2002	23%	15%	23%	20%	9%	10%
1996	25%	17%	22%	19%	8%	10%

~~Source: CSO Census of population 2006~~

<sup>3</sup> The Census reveals that c. 2% of the enumerated population on the date of the census is not resident in a private household in the County. This allows for visitors, hotel guest, those in hospitals, nursing homes etc on the census date.

<sup>4</sup> The number of housing units required will be slightly above the number of new households formed due to the 'excess factor' which is a term describing the fact that demand for housing will exceed actual household formation due to some of the additional units being required to replace obsolete housing, some units being vacant at any one time due to market frictional factors or some units being second homes or pieds à terre. An excess factor of 6% is used in this plan.



The breakdown of the household structure can be summarised as one person, two or more family units, non family households, two or more non related persons, couples with no children and couples with children, and lone parents with children.

In Wicklow the number of family units comprising couples (married / cohabitating) with children has remained constant at 41% — 42% between 2002 and 2006. Interestingly, while the proportion of households in the State with 3 or more persons has decreased between 2002 and 2006 (from 53% to 51%), the number of 3+ households in Wicklow has increase over the same period from 44% to 48%.

**Table 4.3D: Percentage of Persons in each Age Group, Co. Wicklow 2006**

Household composition	2002	2006
1 person household	18%	19%
Husband & wife	14%	15%
Cohabiting couple	4%	5%
Husband & wife with children (any age)	39%	35%
Cohabiting couple with children (any age)	3%	6%
Lone mother	9%	10%
Lone father	1.5%	2%
Other	11.5%	8%

*Source: CSO Census of population 2002 & 2006*

The demographic trends in the County have implications for housing demand. Clearly there is a requirement to ensure the provision of additional housing to meet the forecast demand and in Wicklow, given the high proportion in the 25-39 range and the high proportion of households with 3 or more persons, it would appear that the strongest demand will be from 1<sup>st</sup>-time buyers, particularly those with young / expanding families. While household sizes overall will be falling over the plan period, this is largely attributed to 'empty nesters' rather than falling fertility amongst those in the 25-39 age group. This will require a policy approach that favours the development of medium-sized units (2-4 bedrooms).

#### 4.4.2 Supply of housing

The supply of new housing will clearly be dependent on market factors, but assuming a market in equilibrium, if there is a demand for housing, there will be housing supply. The role of a land use plan is therefore to ensure that there are no obstacles to the delivery of housing. In this regard, it will be necessary to ensure that there is zoned and serviced land available for housing development.

##### Development capacity

Table 4.4 C details the ~~town development plans in effect~~ current development capacity in County Wicklow having regard to the amount of land that is designated for development and the quantity of extant residential persons, using the following assumptions:

- An average gross density of 20 units to hectare on zoned residential lands, which reflects the range of density and housing types possible across the different settlements in the County;
- Town centre land being developed at a plot ratio of 0.5, which reflects both potential non-residential use of such lands and the range of town centre types across the County;
- All land with the benefit of existing permission will be developed in accordance with the current permission.

~~and sets out the amount of existing zoned land available in each. Furthermore, an estimate of development capacity and number of residential units in construction or granted but awaiting construction is provided. This information is sourced from the 2008 Housing Land Availability Study, which the Council prepares annually for submission to the DoEHLG. However, it has been updated to take into account the adoption of new plans for Carnew, Kilcoole, Newtownmountkennedy, Tinahely and Wicklow Environs, Enniskerry and Bray Environs.~~

Table 4.4 C: ~~Zoned land in County Wicklow &~~ Development capacity (in number of housing units) in County Wicklow

Settlement	Development capacity of zoned land with no current permission	Number of units with current permission (in construction or awaiting commencement)
Bray	3,500	800
Wicklow	6,440	1,500
Arklow	4,000	1,000
Greystones/Delgany	1,520	850
Newtownmountkennedy	370	1,200
Ashford	1,200	350
Aughrim	450	10
Baltinglass	650	100
Carnew	625	200
Enniskerry	630	10
Kilcoole	570	300
Rathdrum	630	500
Dunlavin	400	325
Newcastle	600	40
Roundwood	180	25
Tinahely	480	100
Shillelagh	330	40
<b>Total</b>	<b>22,575</b>	<b>7,350</b>

In summary, this table shows that between extant permissions and zoned land, there is capacity to deliver an additional c. 29,925 housing units in the towns of the County, excluding Blessington, Avoca, Kilmacanogue and Donard which do not have local development plans and therefore no zoned land. The growth in population of the 21 towns in the County to 123,800 in 2016<sup>5</sup> will require the delivery of c.18,000 additional units and the growth to 133,800 in 2022 will require c. 28,000 additional units<sup>6</sup>.

Therefore there is currently approximately 65% more development capacity than is required to meet population growth needs up to 2016, but this reduces to 7% for 2022. Of the settlements without development plans, only one is of significant size (Blessington) and it is unlikely that when plans are put in place for the remaining four settlements that this surplus would increase significantly. However, it is the stated objective of this plan to implement the population growth targets as set out in Table 4.3 and therefore this surplus of development capacity does not present any major issue. In fact, it is prudent to have a surplus having regard to the reality that some land will not be released to the market and some lands will not be serviced by 2016.

~~This table shows that there is currently sufficient land zoned to meet Wicklow's housing needs up to 2016. Although there is clearly significant 'headroom', in that there is approximately 5022% more land zoned than is required to meet the housing growth needs, some settlements will not have the necessary infrastructure to allow all zoned lands to be developed within the~~

<sup>5</sup> This figure is derived from the total County population of 164,280 in 2016 less the total rural population of 40,500 in 2016

<sup>6</sup> Allowing for household size of 2.89 in 2006, 2.56 in 2016 and 2.3 in 2022 and an 'excess factor' of 6%

lifetime of the plan. It should also be noted that this table does not provide an estimate of the number of units that may be developed in smaller towns, villages and rural areas. The 2006 Census revealed that only 67% of the County's population resided in the 17 settlements included in this table.

### Infrastructure

While there are restrictions in the County with regard to transport infrastructure (roads, rail, public transport etc), these do not in the main present a bottleneck to the release or development of zoned land. Similarly, deficiencies in social and economic infrastructure persist, but the County Development Plan and Local Area Plans will control the role out of new residential development such that it is commensurate with development of this necessary social and economic infrastructure. However, restrictions in Sanitary Services have and continue to present serious blockages to development. Table 4.4 D below shows that amount of land the principal County settlements ~~up to 2014~~ that is serviceable (as of June 2009) by water supply and wastewater collection / treated systems, and any planned service improvements on the basis of investment planned over the period<sup>7</sup>.

**Table 4.4 D: Amount of serviced land (as of June 2009) and planned capacity increases during the plan period (number of housing units) undeveloped zoned land serviceable pre-2014**

Settlement	Capacity June 2009	Planned capacity increase by 2016
Bray	1,750	2,550
Wicklow	0	3,500
Arklow	0	1,000*
Greystones/Delgany	0	2,850
Newtownmountkennedy	0	1,700
Ashford	0	500
Aughrim	10	-
Baltinglass	250	-
Carnew	1,040	-
Enniskerry	880	-
Kilcoole	0	1,300
Rathdrum	100	-
Dunlavin	0	-
Newcastle	0	-
Roundwood	30	-
Tinahely	250	-
Shillelagh	150	-
<b>Total</b>	<b>4,460</b>	<b>13,400</b>

Source: Wicklow County Council Water Services Department

\* Assuming the planned Arklow WWTP is delivered before 2016

<sup>7</sup> Note that Blessington, Avoca, Donard and Kilmacanogue are not included in this table as there are no local plans in place for these settlements and therefore no zoned land.

As can be seen from this table, the lack of water services in fact restricts the number of units that could be delivered up to 2016 to c. 18,000 units. In these circumstances, it would appear unlikely that the growth target of 16,700 for these towns up to 2016 will be achieved.

~~Between 2006 and 2010, the projected growth of the County will give rise to the formation of 5,820 households (see Table 4.3B above). There have been approximately 4,900 new homes completed between 2006-2008. There is permission outstanding for 4,610 units and development capacity for 2,517 additional units (as per Table 4.3F above). Therefore while there are significant capacity constraints in sanitary infrastructure up to 2010, it is apparent that there is and will be no shortfall in potential development to meet the growing population.~~

~~In the medium term (up to 2014), there will be capacity for 21,511 new residential units (16,901 units on currently undeveloped zoned land plus the 4,610 units already permitted). However, only approximately 72% (15,644) of the 21,633 new households formed up to 2016 will be formed before 2014 and therefore it is clear that sanitary infrastructure will not impede the delivery of sufficient residential units to meet the projected growth in population.~~

It is ~~however~~ important to note the infrastructural difficulties being experienced in Arklow, which is designated a Large Growth Town II in the County Settlement hierarchy and the Regional Planning Guidelines for the Greater Dublin Area ~~2004-2016~~. It is considered unlikely that wastewater collection and disposal infrastructural deficits will be resolved before ~~2014~~2016.

Furthermore, ~~both~~ all of the major settlements in the west of the County (Baltinglass, Blessington ~~and~~ Dunlavin) are experiencing ~~short to~~ medium term restrictions on development, while only the settlement in Carnew in the south of the County has development capacity.

There are clear implications therefore for the spatial distribution of new residential units in the County, with the housing needs of those desiring or willing to live in the north and east of the County being met, but significant restrictions elsewhere in the County. This however generally correlates to the growth strategy for the County as set out in the Regional Planning Guidelines for the Greater Dublin Area ~~2004-2016~~.

#### 4.4.3 Housing affordability

The Housing Strategy sets out a detailed evaluation of housing affordability over the plan period and forms part of the County Development Plan. Even assuming a scenario where house prices continue to fall yet incomes recover, between 33%-46% of new households formed every year over the plan period will experience affordability difficulties. The Housing Strategy for County Wicklow is included in Volume 2 of this plan.

#### **4.4.4 Housing Objectives**

- HS1** To ensure adequate zoned and serviced land is available over the plan period to meet the housing needs of the growing population of the County and in particular, to allow the growth of the County to 165,299 persons in 2016.
- HS2** To ensure an equitable distribution of zoned land around the County, to ensure that new households are not overly restricted in their choice of location and can maintain a relationship with their own community.
- HS3** To ensure that development land is designated in a range of settlement types and sizes in order to provide for needs arising in all areas.
- HS4** To ensure that adequate infrastructure, in particular water infrastructure, is or will be made available to all zoned land.
- HS5** To require compliance with Part V of the Planning Act, in accordance with the County Housing Strategy, for all new residential or mixed use development (of which residential forms part), other than applications with the benefit of a certificate of exemption from Part V under Section 97 of the Planning Act.
- HS6** To require a 20% quota of social / affordable housing to be provided for in all new residential or mixed use developments (of which residential forms part) on zoned land through the transfer of either:
- (a) 20% of the land of the site, or
  - (b) Housing units, where the total value of the planning gain of the unserviced site(s) of such units is equivalent in monetary value to the planning gain to the Council on the transfer of 20% of the land of the site, or
  - (c) Fully or partially serviced housing sites where the total planning gain for the unserviced element of such sites are equivalent in monetary value to the planning gain on 20% of the land of the site, or
  - (d) A payment of such an amount, which is equivalent to the monetary value of the amount accruing to the Planning Authority, under the provisions of a, b or c above, (ie equal in monetary value to the planning gain to the Council on the transfer of 20% of the land of the site) or.
  - (e) The provision of (a), (b), (c) or (d) above at another area within Wicklow.

Planning gain means the difference between the open market value and the existing use value.

- HS7** To require a 20% quota of affordable housing to be provided for in all new residential or mixed use developments (of which residential forms part) on unzoned land, to be transferred in the same mechanism as set out in Objective HS6.
- HS8** To require all new social and / or affordable housing development (whether Local Authority / Voluntary or Part V schemes) to provide a minimum of 50% of the units at a size of 3 bedrooms or greater.
- HS9** To require all applicants for permission that will include social and / or affordable housing to engage in meaningful pre-planning discussions with both the Housing and Planning Authorities, in order to establish at the outset the location, house size and house design requirements of both Authorities.
- HS10** To require the highest standard of design in all new social / affordable development or development containing an element of social / affordable housing, in accordance with the development standards set out in the County Development Plan and the DoEHLG social housing guidelines.
- HS11** To encourage proposals from developers to satisfy Part V obligations which are directed toward special need categories – namely, elderly accommodation, travellers accommodation, specialised accommodation for the homeless and specially adapted accommodation for persons with disabilities – where the proposal is related to an identified local need and is consistent with other policies of the Development Plan.

## CHAPTER 5

### URBAN DEVELOPMENT

#### 5.1 Introduction

This chapter of the plan deals with development strategies, objectives and standards for the urban settlements of the County, that is, those settlements in Levels 1-5 of the County Settlement Hierarchy.

#### 5.2 Vision for towns

While a high proportion of Wicklow residents live outside towns, the County's towns are the lifeblood of the County, meeting all or some of the employment, retail, cultural and social needs of all residents. The County settlement strategy sets out a hierarchy of towns from 'metropolitan' to 'small' but they will all fulfill similar functions depending on their size and catchment, and services on offer. Investment in towns and urban settlements gives the highest return to society, as economies of scale can be achieved and the highest standards of environmental protection can be achieved.

**Strategic Objective** For towns to be or to become the heart of the community, the principal area for communities to meet, interact, shop and recreate. The viability and vitality of centres is paramount, and all other objectives in the Plan affecting urban centres must be assessed in this context.

#### Objectives

**UD1** To maintain the future viability of existing urban centres in the County by directing new development into designated towns and settlements.

**UD2** To ensure the continued vibrancy and life of urban centres, the provision of business, retail, leisure, entertainment and cultural uses will be encouraged. In urban redevelopment proposals, the provision, retention or replacement of such uses may be required. In addition, existing residential uses should be retained wherever practical and new residential development will be encouraged.

**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).

### 5.3 The role of towns & development policies

The County settlement strategy sets out five different designations of towns in the County – metropolitan consolidation town, large growth towns (Types 1 and 2), moderate growth towns and small growth towns. These designations closely match the Regional Planning Guidelines for the Greater Dublin Area 2004-2016.

#### 5.3.1 Metropolitan Consolidation Towns & Large Growth Towns (Levels 1, 2 & 3)

These are the main settlements in the County, that have the highest order economic and social functions, the highest potential for sustainable growth and good transport links to the Dublin Metropolitan Area.

The RPGs advise that the locations closest to Dublin City should be developed to a relatively large scale as part of the strategy for the consolidation of the Metropolitan Area. The Metropolitan Consolidation Towns are located within the Metropolitan Area and include the existing significant urban centres of Bray, Swords, Blanchardstown, Lucan, Clondalkin, Tallaght, Dun Laoghaire and Dundrum.

It is envisaged that, principally, the Large Growth Towns are most likely to be successful in attracting a concentration of major employment-generating investment and should have the high accessibility/connectivity and will therefore require a location on a main radial / orbital road intersection and high quality rail service. These centres should be economically self-sustaining, with a population, including its catchment, which is able to support facilities such as a high quality secondary (and sometimes tertiary) education service, a small hospital or

polyclinic-type facility of sufficient size to provide non-specialised medical care and a comparison retail centre.

A distinction is made between Large Growth Towns I and Large Growth Towns II on grounds such as population size, accessibility, location on principal modal corridors and range of facilities. Large Growth Towns I are identified as Navan, Naas, and Wicklow, while the Large Towns II are Balbriggan, Newbridge, Greystones/Delgany and Arklow.

**UD4** The settlements in Levels 1, 2 & 3 shall be prioritised for growth and investment and shall absorb regional demand for new housing from inside and outside the County.

### **5.3.2 Moderate Growth Towns (Level 4)**

Towns of this scale in the GDA are also generally located on or near the transportation corridors radiating from Dublin and are relatively close to the larger urban areas. While large growth towns will be the main focus for responding to future growth in the GDA hinterland, these smaller towns cater for local growth in residential, employment and service functions through enhancing the built environment, water services, public transport links and capacity for development in these centres. Accommodating such additional functions must however be balanced with protecting the character and quality of these towns.

The Moderate Growth Towns that are located within the Hinterland Area include Lusk, Rush, Trim, Kells, Ashbourne, Kildare, Monasterevin, Kilcullen, Athy, Blessington and Newtownmountkennedy.

A number of these towns are envisaged as having an interacting and supporting role to their adjacent Large Town, and in both Kildare and Meath, a number of Moderate Growth Towns form part of 'dynamic clusters' with adjacent Large and Metropolitan Growth Towns. However, no such 'clusters' have been identified for the Moderate Growth Towns in Wicklow, although it would seem logical that Blessington could be clustered with Naas or Tallaght in the Metropolitan area given proximity, road links and strong interaction for services and Newtownmountkennedy could be clustered with Greystones.

~~Rathdrum and Baltinglass are also designated as 'moderate growth towns' in the Wicklow settlement strategy, which is a deviation from the current RPGs.~~

**UD5** The settlements in Levels 4 (moderate growth towns) 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

- in any new multi-house development, a minimum of 20% of new houses shall be sold to persons that have been living and/or working in County Wicklow for at least 1 year. There are no restrictions on the remaining 80%.
- Any new single house developments shall be restricted to those living and/or working in the County for 1 year.

### 5.3.3 Small Growth Towns (Level 5)

The classification of Small Growth Towns is largely synonymous with the centres identified by the NSS as yielding a population of between 1,500 and 5,000 persons. It is envisaged that major employment-generating investment companies will seek to locate in Large Growth or possibly Moderate Growth Towns, and not necessarily in these locations. Relatively small and locally financed businesses are expected to locate in Small Growth Towns; however, other economic investment could be ~~permitted~~ **supported where sustainable and in keeping with the size and services of the town**. Retail is likely to be mainly in the convenience category, with a small supermarket and possibly local centres serving only the town and its local catchment area. Small Growth Towns would likely contain facilities such as a primary and sometimes a secondary school, as well as a health clinic.

Within this category of settlement, the Regional Planning Guidelines identify a range of small town 'types' including small commercial towns, remote from core commuter areas and having a strong trading tradition serving a large rural hinterland; in particular, Baltinglass is identified as such a town. Such economically active independent towns, with less dependence on commuting for population growth, are recognised in the RPGs for their key local importance and should be supported in this role. It is important that the investment in social infrastructure in such locally significant towns is at a higher level, equivalent to larger size centres in recognition of their role as key centres for a very large rural hinterland and for surrounding smaller villages and towns.

The RPGs also note in Section 4.7 'Strategic Policies and Recommendations - Recommendations for Development Plans & Core Strategies' that '*The rural and particular landscape qualities of the County, which see a large rural hinterland to the south west more focused towards Carlow, allows the town of Baltinglass to grow in a sustainable manner, meeting the needs of the local community and surrounding districts, and playing critical local role*'. Accordingly, within this small growth town category, Baltinglass will have a superior significance.

Section 4.7 also recognises that "*the recommended examination of possible improvements to the Wicklow rail route by the RPGs will assist in supporting economic and housing activity in*

*....the smaller rail served towns of Rathdrum and Kilcoole, and support the continued delivery of a strong defined settlement pattern for the County'. This plan will thus give due recognition to this elevated status of Rathdrum and Kilcoole within this small growth town category, particularly with regard to their growth targets.*

**Objective UD6** The settlements in Levels 5 shall be re-inforced as attractors for more indigenous growth and investment and shall absorb demand for new housing from inside and outside the County subject to the following controls

- In any new multi-house development, a minimum of 50% of new houses shall be sold to persons that have been living and/or working in County Wicklow for at least 1 year. There are no restrictions of the remaining 50%.
- Any new single house developments shall be restricted to those living and/or working in the County for 1 year.

## **5.4 Urban design standards**

Urban design considers the relationship of buildings to one another and to the spaces around them. This section sets out the principal standards that Wicklow County Council will apply to all new developments in urban areas, but with particular emphasis on the standards applicable to developments that include residential use<sup>1</sup>. There have been a number of guidance documents published by the Department of the Environment, Heritage and Local Government on urban design and all applicants for permission in urban areas are advised to consult these documents, as they will also be utilised as a tool in the assessment of planning applications<sup>2</sup>.

### **5.4.2 Appropriate consideration of local setting and context**

Any proposed development must consider both its site and its surroundings and respond to them in a positive way. All of Wicklow's larger settlements still have at their core a traditional two - three storey 'main street' where most economic activity is concentrated, with the larger

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<sup>1</sup> For development standards relating to employment generating development, namely industry, office, small-medium sized business etc please refer to Chapter 7; for shopfront design standards refer to Chapter 10.

<sup>2</sup> 'Sustainable Residential Development in Urban Area's (DoEHLG 2008), Urban Design Manual, 'Sustainable Urban Housing: Design Standards for New Apartments' (DoEHLG 2007), 'Quality Housing for Sustainable Communities' (DoEHLG 2007), *Recommendations for Site Development Works for Housing Areas* (DoEHLG 1998)

settlements having developed 'satellite' economic centres, normally in the form of new neighbourhood retail centres in housing expansion areas.

### **Core town centre area**

The core town centre area, which is usually the historic core, will normally be zoned 'town centre', which allows for a wide range and mix of uses. New development in such areas will normally comprise infill or brownfield sites, or redevelopment opportunity sites put together through acquisition of a number of underperforming or derelict sites. Regardless of the type of site, new development shall generally follow the pattern of development in that area, with regard to building form, massing, height and design features, unless the relevant local plan specifies otherwise. In particular:-

- new developments will require to be 'integrated' with the existing built fabric, in the sense that it will knit together, both physically and visually with the surrounding buildings;;
- new developments will be required to form new street frontage or to bridge existing gaps in the streetscape. Where an access point is required, this should be in the form of a tunnel or arch. Where appropriate or necessary, buildings may however be stepped backwards or forwards, to add visual interest and variety to the town, subject always to this not undermining or interfering with an established streetscape;
- the development of new streets and squares will be encouraged, as well as the opening up of new links between sites or from backlands to the street front;
- where the plot width of the site is considerably wider than the prevailing plot width along the street, the new building's facade will be required to be broken into visually distinguishable elements, to allow for a more seamless transition between existing and new;
- in town centres that are designated Architectural Conservation Areas, applications for new development shall pay due regard to the features of the area that warranted that designation and shall identify key elements of the existing townscape that are to be carried forward into the new development;
- while intensification of development in town centres is encouraged, excessive height shall not be utilised as the principal mechanism for achieving this. Heights more than 1-storey above adjoining buildings will not normally be accepted, unless the individual town plan has set a height standard. Any application for heights in excess of this shall submit detailed justification and visual assessment of the proposal, including rendered drawings / photomontages and day and sunlight analysis;
- As internal ceiling height in older buildings may not meet modern needs, necessary deviations from the prevailing 'storey line' shall be mitigated by design for example, through the use of fenestration;

**Greenfield developments**

New developments on greenfield sites may need to establish their own identity, as some may be of such a scale and distance from the core town centre area as to render analysis of existing 'context' meaningless. In this regard, it is considered appropriate to consider two forms of greenfield development – the large-scale planned expansion area and small to medium scaled housing developments.

**Large-scale expansion areas**

Large-scale expansion areas are considered to be those developments that would add 10% or more to the existing housing stock of a town (e.g. the development of Charlesland in Greystones which added around 30% to the existing housing stock in Greystones / Delgany) or comprise more than 200 residential units. Normally the local area or town plan will set out the detailed design parameters for large-scale planned expansion areas.

Unless otherwise specific in a local plan, the following shall apply:-

- at the outset, a vision for the area shall be established and agreed with the Planning Authority. This shall set out the 'type' of place that is envisaged, the design ethos and the influences on form and design emerging;
- an evaluation of the existing surroundings of the site, as well as future proposals / zoning for lands in proximity, shall be carried out to determine how the new development will integrate with the area and allow for maximum connectivity and permeability;
- the development shall include distinctive and / or landmark type buildings and a series of new spaces that allow for the development of a sense of place and identity;
- new roads / streets shall be laid out in a legible hierarchy from distributor to local roads;
- the retail, employment and community needs of the new area shall be met at a scale appropriate to the development, having regard to the availability of such facilities in the settlement and their proximity to the site in question.

**Small-medium scale housing developments**

These developments would not normally be of scale that warrants the establishment of a new neighbourhood 'identity', but rather are intended to 'fit' into the existing built fabric of the settlement. These developments will normally be within or adjacent to existing developed areas or at the very edge of the settlements. Again the local area or town plan will often set out the specific design parameters for new housing estates and unless otherwise specific in a local plan, the following shall apply:-

- Visual integration and physical connectivity with the area surrounding the site will be required to be at the fore of any design model;
- While the format and design should complement the prevailing pattern of development in the area and should not degrade the residential or visual amenities already enjoyed in the area, new developments shall meet the highest standards of modern layout and design even if this means a development that is very different from its surroundings;
- Where such a small to medium scale development is to form part of a future larger development, the developer will be required to show possible future development zones / layouts in the area and compliance with the principle set out for large scale developments (above)
- Where such a small to medium scale development is adjoining future development lands or provides the only possible access route to other lands, new roads will be required to be designed to ensure that future access to other lands can be facilitated.

#### 5.4.3 Intensity of development (density)

In urban settlements and particularly in the core area of urban settlements, measures such as 'units per hectare' are problematic as they do not allow meaningful measurement of the quantum of development permissible on mixed-use sites and do not reflect the range in unit sizes that may be proposed. Therefore plot ratio, which is the ratio of development floor area to site area, will apply in such areas. Often local area and town plans will set out the minimum or maximum density permissible at that location, as this is likely to vary from town to town, depending on local characteristics. Unless otherwise specified, the following standards will apply:-

Location	Maximum plot ratio
Commercial, housing or mixed use core town centre area (zoned TC)	2 (20,000sqm of development per hectare)
Commercial, housing or mixed use edge of centre (zoned TC)	1 (10,000sqm of development per hectare)
Housing only edge of centre	0.5 (5,000sqm of development per hectare)
Housing only greenfield	0.35 (3,500sqm of development per hectare)

- All planning applications shall provide a table of data showing site area, development area, building footprint, total building floor area and a calculation of plot ratio;
- 'Density' will only be allowed to be generated from land that is capable of being built upon; land which is ultimately unsuitable for such purposes (e.g. due to excessive slope)

will not be considered to be part of the density equation even if it forms part of the overall site. Any such areas should be clearly shown on planning applications drawings;

- The density that can be achieved on any site will ultimately depend on compliance with 'qualitative' standards such as fit with surroundings, height, open space provision, adequate privacy, car parking etc and the density ultimately proposed should be the outcome of the design process rather than the starting point;
- In certain circumstances, such as brownfield sites in urban areas or sites in very close proximity to a high quality, reliable public transport network, departures from the maximum density standards specified may be considered, subject to the highest quality of design;
- Where a new 'neighbourhood' centre forms part of a large-scale greenfield expansion area, plot ratio in the neighbourhood hub (i.e. only that area forming an integrated part of the shopping / community facilities provided) may be allowed to increase to 1:1.
- A plot ratio of 0.5:1 or 5,000sqm per hectare would be the equivalent of 40 houses of 125sqm to the hectare or 16 houses to the acre. Expressing the density allowable in terms of sqm per hectare allows for density to be adjusted where houses are larger or smaller than 125sqm (for example, if all houses were 100sqm, 50/ha would be allowable whereas only 25/ha would be possible if all houses were 200sqm)
- A plot ratio of 0.35:1 or 3,500sqm per hectare would be the equivalent of 28 houses of 125sqm to the hectare or 11 houses to the acre.

#### **5.4.4 Suitability of the proposed use at that location**

- The uses allowable in any zone in an urban centre will normally be set out in the local area or town plan applicable. However, while a particular use may be allowable, it does not imply that it is desirable or acceptable at all locations;
- In particular, in core town centre areas, active uses will normally be required at ground floor level i.e. retail, commercial, community or leisure uses. All non-residential floors will be required to be designed to be suitable to a range of users. The mix and balance of different type of uses (including retail and retail services) is important to attract people to core town centre areas and to ensure town centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of the town centre, and accordingly the Planning Authority will control the number of bookmakers, off-licences (including off-licences in convenience stores), financial institutions, and other uses that can adversely affect the character of a town centre;
- 'Living over the shop' i.e. residential use over ground or first level commercial use will be specifically encouraged by allowing a relaxation in development standards such as car parking and open space;



- At edge of centre locations, even where a local area or town plan allows for commercial or mixed uses, these will only be considered where there are either no better sites available in the town centre core or there is some impediment to the development of available town centre core sites and it can be shown that trade or activity will not be drawn away from the core;
- At greenfield locations separated from the town core, where a local area or town plan does not specify otherwise, any significant new residential developments will be required to be accompanied by that quantum of retail, commercial and social / community development necessary to meet the needs of that community.

#### 5.4.5 Accessibility

Town centre locations will normally be well serviced by a good road network and some of the larger urban centres will also have public transport infrastructure. Departures from the maximum density standards specified may be considered where the site is in very close proximity to a high quality, reliable public transport network (subject to the highest quality of design). New development may also be required to include services and formats that facilitate penetration of public transport into the development / site.

New entry / exit points off the 'main street' will be strictly controlled in order to maintain free movement of vehicles and pedestrians along the street. Where no other option is available, new / expanded entry / exit points will be allowed subject to no adverse traffic congestion or pedestrian safety problems being created. Where new entrances are allowed, they may be required to be so located and designed to allow for access to other sites.

At edge of centre or greenfield locations, good connectivity to the town centre area will be required and where access roads or pedestrian / cycle links do not exist, these will be required to be provided or financed by the developer.

New developments will be required to place a high emphasis on *permeability* and *legibility* of access routes. A permeable layout is one that is well connected and offers a choice of direct routes to all local destinations, thereby encouraging walking and cycling, facilitating public transport penetration and generating higher levels of pedestrian activity, casual social interaction, informal supervision and thus security. A legible development is one that is structured in a way that creates distinctive places and spaces that may be easily 'read' and that are easy to find one's way around. A legible layout is based on designing at a human scale in response to the positive features of a site and how it relates to the wider area, rather than technical demands of traffic or the internal logic of the individual site.

Relaxation in car parking standards in town centres may be considered where

- Good public transport is available;
- the applicant can provide 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;
- there is a parking enforcement system in place in the town concerned or 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.

(Car parking standards are set out in Chapter 11, Table 11.2)

#### **5.4.6 Design quality**

##### **5.4.6.1 Layout**

- New urban developments shall be so laid out to have a 'relationship' with the public realm, with windows / balconies overlooking existing or proposed streets / open spaces. Buildings backing onto public areas, whether they are streets or public open spaces, will not be permitted.
- A variety in set backs and building lines shall be provided to provide for visual interest and to create interesting spaces. As set out in Section 5.4.5.4 to follow, car parking does not always have to be located uniformly along the front of houses;
- Notwithstanding established separation 'rules' that may be applied to maximise privacy for dwellings (see below), traditional back-to-back rows of 2-storey houses, exactly 22m apart should be avoided and more imaginative layouts and building forms provided, subject always to adequate privacy being provided;
- Layouts shall ensure adequate sunlight and daylight, in accordance with "*Site layout planning for daylight and sunlight: a guide to best practice*", (BRE 1991);
- Roads should be designed in a hierarchical manner, so that the bulk of traffic moves around distributor roads, with the majority of residences located on lightly trafficked routes (this of course should be balanced with the need to maximise permeability within the development). Roads, footpaths and car parking areas shall be located and designed so that obstructive on street parking or parking on kerbs is not necessary;
- Greenfield developments shall be so laid out as to maximise retention and integration of natural features, such as mature trees, hedgerows, water courses etc into the site layout;
- The maximum size of any greenfield housing development will depend on the size of the town and the requirements of the town plan / local area plan, but shall not be greater than 100 units where only traditional houses are proposed or 200 units where there is a

mix of houses and apartments. Any development exceeding this number shall be broken up into a number of distinct 'estates', even if accessed from a shared road, with materially different architectural styles.

#### **5.4.5.2 Building design**

New buildings shall be attractive, safe and secure and provide a high quality living environment. In particular, the design of new buildings shall accord with the following requirements:-

##### **External appearance**

- Good modern architecture with a building language that is varied and forward-looking rather than repetitive and retrospective will be required; however, reference and 'clues' must be drawn from surroundings, particularly in traditional or protected town centre areas;
- Variation in external materials will be expected, again subject to 'fit' with surrounding buildings. Care shall be taken in excessive use of contrasting materials and generally no more than two contrasting materials shall be utilised on any façade;
- The possibility of providing roof mounted communal satellite dishes in town centre commercial and apartment developments will be required to be considered, to avoid demands for numerous individual dishes.
- Where a development takes the form of more than one structure (i.e. a number of apartment blocks or a multitude of individual houses), adequate variety in form, height, materials etc shall be employed, within an overall unified theme, to provide for visual diversity;

##### **Unit sizes & formats**

- All planning applications shall be accompanied by a data table setting out number and floor area of all commercial and residential units;
- New apartment developments<sup>3</sup> will be required to include a range of unit sizes to cater for different housing needs, while new greenfield housing areas shall also include a range of unit types including apartments, duplexes, townhouses, semi – detached and detached houses, including single storey dwellings;

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<sup>3</sup> Apartments are residential units in a multi-unit building with grouped or common access and single-storey own door units that form part of a 'duplex' unit

- The minimum size apartment allowed will be 45sqm <sup>4</sup>. No more than 20% of the units in any single development shall be under 50sqm. At least 50% of the units in any development shall be 73sqm or larger.
- The minimum room size and storage space standards set out in *Sustainable Urban Housing: Design Standards for New Apartments* (DoEHLG 2007) shall be adhered to;
- Single aspect residential units will only be permitted where the main living rooms face south, west or east;
- In the design of new residences, cognisance shall be had of the changing space demand of households over time. For example, apartment formats should allow for either the future subdivision of larger units or the merging of two or more smaller units (either horizontally or vertically) and houses should have attics capable of conversion to habitable rooms;
- In 'edge of centre' or 'out of centre' new residential development, the quantum of apartments allowable will be regulated, as this dense format of development is more suited to urban core locations, where direct access to services is available. In this regard the maximum quantum of floor space that may be devoted to apartments in 'edge-of-centre' locations shall be 40% of the development and 20% in 'out-of-centre' locations.

## Privacy

- Residential developments shall be so designed and constructed to ensure maximum privacy for residents.
- Windows and balconies shall be positioned and designed such that direct intrusion into private living areas from other dwelling units or from the public realm is avoided. In this regard, the design of ground levels units with little or no separation from footpaths or other public areas shall be carefully considered and mitigation measures applied.
- A separation of 22m will normally be required above ground level between opposing windows serving private living areas (particularly bedrooms and living rooms). However, this rule shall be applied flexibly: the careful positioning and detailed design of opposing windows can prevent invasion of privacy even with short back-to-back distances. Windows serving halls and landings do not require the same degree of privacy as say balconies and living rooms;
- The degree of 'overlooking' afforded by different windows types shall be considered appropriately; for example, an angled roof light will not have the same impact as a traditional 'flat' window on the same elevation;
- In 'traditional' housing developments, with side-to-side and back-to-back housing, the following standards will be applied for boundary walls

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<sup>4</sup> Measurements are internal wall-to-wall dimensions and apply to units on one floor.

- all walls bounding the private (usually rear) garden shall be 2m in height
- side boundaries between houses shall be provided at a height of 2m at shall extend from the front façade of the house to the rear wall of the house.
- All boundaries shall be of solid construction i.e. they form a complete screen barrier with no gaps
- Walls bounding any public areas shall be rendered and capped on the outside
- If timber boundaries are utilised, they must be bonded and supported by concrete posts. Concrete post and plank walls will not be permitted for any boundary visible from the public domain.

### Green issues

- ~~All new buildings will be required to incorporate energy saving technology or be designed in such a manner that allows an Building Energy Rating (BER) of B1 or above (as set out in Chapter 14)~~ 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
- All new buildings will be required to incorporate water saving measures, as set out in Chapter 12. This may include rain water harvesting for internal service uses. In particular, all new dwellings with individual surface water collection systems will be required to be provided with water butts;
- All buildings will be required to be provided with a suitable area on site for the keeping of waste storage receptacles for mixed dry recyclables, organic waste (composters) and residual waste. In apartment developments, this may be in the form of grouped individual bins in car parking areas or a designated waste building; for individual houses with no side or rear lane from the garden to the public road (e.g. mid terrace houses), this may entail a designated, appropriately designed / screened / enclosed area to the front of the house;
- Consideration should be given in the design of new buildings to the provision of green roofs or walls (i.e. roof gardens / planted balconies etc), to aid in both water absorption but also to contribute positively to the environment and visual amenity.

### 5.4.5.3 Open space

- Open space shall be provided in all new developments, the scale of which shall be dependent of the use of the building/site. In commercial developments, this may be limited to a small area utilised by employees for passive use, such as small courtyard area or roof garden. While the provision of such space may not always be possible in

built up urban locations, new developments shall endeavour to provide a minimum area equivalent to 5% of the building gross floor area.

- All residential units shall be provided with private open space, either in the form of private balconies, terraces or rear / side gardens. Where necessary to make up for a shortfall in private open space, communal private space, for example, in the form of internal courtyards or roof gardens, shall be provided. Care shall be taken to ensure such spaces receive adequate sunlight and meet the highest safety standards.
- All apartments shall be provided with a minimum area of 30sqm private open space, which shall be at least partially made up of a private balcony or terrace. The front wall of balconies should be made from an opaque material and be at least 1m in height. The minimum balcony / terrace sizes shall be:

Apartment size	Minimum balcony / terrace size
One bedroom	5sqm
Two bedrooms	7sqm
Three bedrooms	9sqm

- Dwellings (including own door duplexes) shall be provided with private open space at a rate of 0.64sqm per 1sqm house floor area (for the first 150sqm), with the minimum garden size allowable being 48sqm.
- Public open space shall be provided in accordance with the standards set out in Chapter 15. In particular,
  - Public open space will normally be required at a rate of 15% of the site area – areas within the site that are not suitable for development or for recreational use must be excluded before the calculation is made;
  - The need to provide public open space in town centre developments may be waived if the development specifically achieves other overriding aims of this Plan, particularly where public amenity space such as a town park or beach is in close proximity;
  - In greenfield developments, a hierarchy of open spaces shall be provided to provide for the different play needs of different age groups and all efforts shall be taken to ensure that all houses are in visual range of one open area;
  - Spaces less than 10m in width or 200sqm in area will not be counted as useable public open space; nor will space that is excessively sloping or otherwise unsuitable for usage;

- New organised sports areas shall be located in proximity to existing or planned community or neighbourhood facilities such as neighbourhood retail centres, schools etc

#### **5.4.5.3 Car parking**

- 2 off street car parking spaces shall normally be required for all dwelling units over 2 bedrooms in size. For every 5 residential units provided with only 1 space, 1 visitor space shall be provided. Parking for non-residential uses shall be provided in accordance with the standards set out in Table 11.2 (Chapter 11) except where a deviation from the standard has been justified (in accordance with Section 11.5 of Chapter 11);
- In new housing areas, car parking has traditionally been located on site, to the front of houses resulting in a regular 6-10m set back and regular buildings lines. Alternative parking arrangements that avoid this format will be encouraged; however, parking will always be required to be proximate to the dwelling served. In cases where the front door of a residential unit is directly onto a road that is not suitable for on-street parking (e.g. a main distributor road), car parking shall be located adjacent to a back or side door;
- Communal car parking areas shall be conveniently located for residents and suitably lit at night-time;
- Adequate provision shall be made for visitor and disabled car parking;
- Designated sheltered and secure bicycle parking will be required in apartment developments.

#### **5.4.5.4 Social & community facilities**

In accordance with the Objective CD5 (Chapter 15), all applications for large-scale residential expansion areas shall include a community facilities audit and where facilities are found to be inadequate, proposals to address these deficiencies will be required.

## 5.4.6 Other issues

### 5.4.6.1 Infill / backland development in existing housing areas

Many older housing areas were built at densities and in such formats that resulted in particularly large plot sizes. Where opportunities arise for infill or backland type development, the following standards shall apply:

- The site / plot must be capable of being developed in accordance with the density limit set for that area in the local area or town plan, or in any case in keeping with the prevailing density of the immediate area. Where no density limit is set (for example, in areas zoned 'existing residential'), the quantum of development that will be permissible will flow as a result of adherence to best development standards as set out in this chapter;
- The design of a new house should complement the area. Where an area has an established unique or valuable character worthy of preservation, particular care should be taken to match the style and materials of the area; however, where an area is a 'mixed-bag' of styles and periods, more flexibility can be applied;
- Particular attention will be required to be paid to the design and location of new windows, in order to ensure that the privacy of either the existing house on the plot or adjacent houses is not diminished;
- Gable walls abutting public areas (e.g. footpaths, car parking areas and open spaces) will not be permitted and a minimum separation of 0.9m will be required between the house gable and the side wall of the plot;
- Where the access route to a proposed development site is proposed to run alongside the external walls of the existing dwelling on the development plot or the external walls of a dwelling on an adjoining plot, there must be adequate separation available to facilitate the required driveway (normally 3m) and allow a 0.5m 'buffer' area alongside any existing dwelling. Any deviation from this standard must be evaluated on traffic safety and residential amenity grounds.
- The re-design of access and car parking arrangements for the existing dwelling on the plot must be clearly detailed, and permission included for same where required; developments accessed from a long narrow driveway must provide for the turning of vehicles within the site;
- Cognisance will be required to be taken of the potential of adjacent rear / side plots to be developed in a similar manner and separation between site boundaries, location of windows etc must not prejudice development options on the adjacent plot;



- New apartment developments dependent on access through existing established areas of predominantly single family homes, will not be permitted.

#### **5.4.6.2 Sub-division of dwellings**

In established areas of predominantly single family homes, the subdivision of a dwelling into apartments or bedsits will generally not be permitted, except in exceptional circumstances. Where sub-division is permissible, normal qualitative standards with regard to internal space, private open space, privacy and car parking will required to be complied with.

#### **5.4.6.3 House extensions**

The construction of extensions to existing houses will be encouraged generally as it usually provides a less resource intensive method of expanding living space than building a new structure. Given the range of site layouts prevailing, it is not possible to set out a set of 'rules' that can be applied to all extensions, but the following basic principles shall be applied

- The extension should be sensitive to the existing dwelling and should not adversely distort the scale or mass of the structure
- The extension shall not provide for new overlooking of the private area of an adjacent residence where no such overlooking previously existed;
- In an existing developed area, where a degree of overlooking is already present, the new extension must not significantly increase overlooking possibilities. If for example a two-story dwelling already directly overlooks a neighbours rear garden, a third storey extension with the same view will normally be considered acceptable;
- New extensions should not overshadow adjacent dwellings to the degree that a significant decrease in day or sunlight entering into the house comes about. In this regard, extensions directly abutting property boundaries should be avoided;
- While the form, size and appearance of an extension should complement the area, unless the area has an established unique or valuable character worthy of preservation, a flexible approach will be taken to the assessment of alternative design concepts.

#### **5.4.6.4 Independent living units ('Granny-flats')**

A 'granny flat' or 'independent living unit' is a separate living unit on an existing house site, used to accommodate a member of the immediate family, often an elderly parent, for a temporary period. The construction or conversion of part of an existing dwelling into a 'family flat' will only be permitted where the development complies with the following requirements

- The need for the unit has been justified and is for the use of a close family member;

- The unit forms an integrated part of the structure of the main house – in exceptional circumstances, the conversion of an existing detached garage / store etc may be considered subject to the structure being in very close proximity to the main house;
- The unit is modest in size and in particular, it shall not exceed 45sqm and shall not have more than 1 bedroom;
- The unit shall not be sold or let as an independent living unit and the existing garden shall not be sub-divided
- The structure must be capable of being functionally re-integrated into the main house when its usefulness has ceased. Permission for such units shall be restricted to a period of 7 years, after which it must revert to a use ancillary to the main house (e.g. garage, store, hobby room) unless permission has been secured for its continuation as an independent unit for another period.

#### **5.4.6.5 Temporary residential structures**

Temporary residential structures (e.g. mobile homes, caravans, portacabins etc) form a haphazard and substandard form of residential accommodation and generally have poor aesthetic value and can detract from the overall appearance of an area. Therefore permission will generally not be granted for such structures.

#### **5.4.6.6 Naming of developments**

It shall be a condition of a planning permission for new housing schemes that the developer will submit a scheme for the naming and numbering of the estate prior to the commencement of the development. The naming of housing estates shall reflect in as far as possible the local context in which it is located. The names of new estates in as far as possible should be in bilingual format or in Irish alone. On approval of the naming of the scheme, the developer will be required to provide nameplates and numbers, as required by the Council.

#### **5.4.6.7 Taking in charge**

New developments shall be taken in charge in accordance with the adopted 'Taking in Charge Policy' of Wicklow County Council (2007), as may be varied over the life of the plan.

#### **5.4.6.8 Entrances to developments**

The name of the development shall be clearly identified at the entrance. Measures shall be put in place to ensure parking is restricted for sufficient distance at the start of the development to

eliminate potential traffic hazard on the public road. Gated developments will not be permitted, except in exceptional circumstances.

#### **5.4.6.9 Flood routing**

Chapter 12 of this plan specifically deals with the assessment of flood risk and the techniques to be applied to avoid or minimise flood risk. One of these methods is the manipulation of the layout and design of a development to provide flood 'routes' i.e. in the event of surface water sewers, or a nearby culverted stream failing, the development shall be so laid out that the resultant flood waters can take a natural route through the site without having to flow through people's homes.

# Environmental Report: Appendix II

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**1<sup>st</sup> period of public display of the  
Draft Wicklow County Development Plan 2010-2016 and  
SEA Environmental Report:**

**Response to submissions on the  
SEA Environmental Report  
(& Appropriate Assessment)  
and Updates Arising**

**for: Wicklow County Council**

County Hall  
Station Road  
Wicklow Town  
County Wicklow



**by: CAAS**

2<sup>nd</sup> Floor, The Courtyard  
25 Great Strand Street  
Dublin 1



**MARCH 2010**

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# 1 Introduction

This document responds to relevant submissions which were made during the 1<sup>st</sup> period of public display of the draft Wicklow County Development Plan 2010-2016 and the Environmental Report on the Strategic Environmental Assessment (SEA) process. Only submissions on the Environmental Report (ER) and the draft Appropriate Assessment (AA) are responded to.

It is noted that consequent changes are not made to the original ER; this Addendum forms part of the documentation of the ongoing SEA and plan-making processes. It supplements and should be read in conjunction with the original ER which includes information on likely significant environmental effects of implementing the draft Plan.

The findings of this Addendum will be used to update the ER on adoption of the draft Plan. The updated ER will be amended to take account of the Elected Members' decisions with regard to the Manager's Recommendations and will be made available to the public alongside the Wicklow County Development Plan as adopted.

Proposed Amendments to the draft Plan will be evaluated for their likely significant environmental consequences in a second Addendum (*Addendum II*) to the ER which will be placed on public display alongside the Proposed Amendments.

Responses to submissions on the draft AA are provided to supplement the Manager's Report on the submissions. The AA is being reviewed throughout the draft Plan review process and will be finalised when the Plan has been adopted.

## 2 Responses to Submissions on the Environmental Report and Consequent Updates

Note that *italicised text* summarises parts of the submissions that are relevant to the ER or AA.

### 2.1 Department of the Environment, Heritage and Local Government (DEHLG)

Note that the parts of this submission under the headings of 'Core Strategy', 'Population', 'Settlement Strategy', 'Zoning' and 'Guidelines' will be responded to by the Planning Department. Any Amendments to the draft Plan that are proposed by the Elected Members will be evaluated for their likely significant environmental consequences in a second Addendum (Addendum II) to the SEA Environmental Report.

#### 2.1.1 Point 1: Appropriate Assessment (AA)

*The draft plan is accompanied by an AA screening, which concludes that the draft plan shall not give rise to significant effects on the integrity of any Natura 2000 site. However within the draft plan, AA and its implications would appear to be only referred to in the Coastal Zone Management section. While the policies as they are worded may not have a significant effect, to ensure clarity and to inform the public of the implications of AA it would be preferable if an overarching policy was inserted in the section on Vision and Strategic Goals, which indicated how the Habitats Directive was being implemented in the development plan (see also section on Nature Conservation below).*

##### Response:

The draft AA concludes that: "the draft Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon the draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>1</sup>".

Additional clarity could be provided by either including an overarching policy as suggested by the DEHLG or including a sub-heading on the Habitats Directive and its consequences for the Plan under the Higher Level Policy Section in the draft Plan's Introductory Chapter.

##### Updating the Environmental Report:

None.

#### 2.1.2 Point 2: Objective BD9

*Objective BD9 states: "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".*

*While Management Plans of Natura 2000 sites are not mandatory under Article 6.1 of the Habitats Directive, some Conservation Plans have been prepared by the National Parks and Wildlife Service (NPWS) of this Department, and those that have gone through public consultation are available on*

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<sup>1</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available,
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.

*www.npws.ie. In addition, some draft conservation plans for Natura 2000 sites may be available on request. Conservation objectives are available from NPWS and these can be found either on the NPWS web site www.npws.ie or can be requested via the data request facility on this website.*

**Response:**

This is noted. It is suggested that Objective BD9 (quoted above) be updated as follows:

The National Parks and Wildlife Service will be invited to prioritise the preparation of Management Plans for Natura 2000 Sites. This will facilitate the development of site specific Conservation Objectives in the context of the proper planning and sustainable development of the County.

**Updating the Environmental Report:**

None.

### 2.1.3 Point 3: Ecological Considerations

*Ecological considerations to be taken into account by development which is provided for by certain draft Plan objectives are identified.*

**Response:**

Other objectives which have been integrated into the draft Plan [e.g. Objectives BD3 to BD7 and Objective BD9] will contribute towards the integration of such considerations into future developments and thus towards the mitigation of the project level impacts.

**Updating the Environmental Report:**

None.

### 2.1.4 Point 4: Appropriate Assessment (AA)

*With regard to the AA screening the Department does not agree with the findings and are of the view that an appropriate assessment of the Plan in its current form is required. The AA screening report is not clear or easy to follow.*

**Response:**

A draft AA report has been prepared for the draft Plan. As described in the guidance issued both by the EU<sup>2</sup> and by the Department<sup>3</sup>, AA comprises four distinct stages. In this case it was found at the first stage that: "the draft Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon the draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>4</sup>". Thus no further AA stages were required.

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<sup>2</sup> *Assessment of plans and projects significantly affecting Natura 2000 sites (Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC)*, European Commission, 2002.

<sup>3</sup> *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, Department on the Environment, Heritage and Local Government, 2009.

<sup>4</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available,
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.



The report is arranged in two separate parts for ease of reading. The first part clearly and succinctly describes the draft Plan, Natura 2000 sites within and around the Plan area, assessment criteria and conclusions. The second part, called the Appendix, contains a detailed matrix which shows how each policy and objective in the draft Plan has been assessed for its potential to cause direct, indirect or cumulative impacts on the conservation objectives of each Natura 2000 site. Where such potential is identified then it the measures in the draft Plan, and other instruments, which will ensure that the potential impacts will not occur are referred to and the matrix finally shows whether residual impacts on the sites' conservation objectives will occur or not. The Appendix is necessarily detailed and hence is presented as a separate document to the main part of the AA report. It is included to demonstrate full compliance with the requirements of Article 6 of the Habitats Directive.

**Updating the Environmental Report:**

None.

### **2.1.5 Point 5: Provisions with the Potential to Impact on Natura 2000 Sites**

- 1. Provisions from the following draft Plan chapters are identified by the submission as having the potential to impact upon Natura 2000 Sites: 9, 11, 12, 13, 14, 15 and 18.*
- 2. Strategies/parts of strategies that are referred to by the draft Plan and would be implemented as part of the Plan are identified by the submission as being necessary to undertake AA screening for.*
- 3. The AA screening report appears to have screened the draft Plan and the Town Plans but not the Wind Energy Strategy which should also be screened for AA.*

**Response:**

1. Although a number of the provisions included in the draft Plan have the potential to impact upon Natura 2000 sites, the draft Plan provides for the protection of Natura 2000 sites and - as identified by the draft AA - "the draft Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon the draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>5</sup>".

A number of the provisions referred to by the submission - although largely providing for the protection of Natura 2000 sites - have got the potential, if implemented in isolation from other Plan provisions, to impact upon Natura 2000 sites. Consequently updates will be made to the Environmental Report as detailed below.

2. Regarding the screening of strategies, the SEA Environmental Report has evaluated draft Plan provisions which provide for the implementation of strategies or parts thereof.

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<sup>5</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:  
(a) no alternative solution available,  
(b) imperative reasons of overriding public interest for the plan to proceed; and  
(c) adequate compensatory measures in place.

3. It is noted that the draft AA report does not include assessment of Objective WE1. This will be rectified and the AA will be reviewed to ensure that all policies and objectives are assessed when the AA is finalised on adoption of the Plan. It can be noted in the meantime that potential impacts on the conservation objectives of Natura 2000 sites due to Objective WE1 will be avoided due to:

**A.** Other policies and objectives including:

- BD2** To ensure that the impact of new developments on bio-diversity is minimised and require measures for the protection and enhancement of bio-diversity in all proposals for large developments
- BD3** To maintain the conservation value of existing and future Natura 2000 sites (SACs and SPA's) in the County
- BD4** 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.

and **B.** by other instruments including:

- **The Habitats Directive (HD):** The European Council Directive on the Conservation of natural habitats and of wild fauna and flora (92/43/EEC) (Habitats Directive)
- **The Water Framework Directive (WFD):** The Water Framework Directive 2000/60/EC
- **The National Biodiversity Plan (NBP):** UN Convention on Biological Diversity 1992 - National Biodiversity Plan 2002 is as a result of this.
- **The Wildlife Act (WA):** Wildlife Act 1976 and Wildlife (Amendment) Act 2000 (Wildlife Act)
- **The Birds Directive (BD):** The 1979 European Council Directive on the Conservation of Wild Birds (79/409/EEC) (Birds Directive)
- **The Ramsar Convention (R):** Convention on Wetlands of International Importance (Ramsar)

### **Updating the Environmental Report:**

To identify in Section 8 of the Environmental Report Strategic Environmental Objectives (SEOs) B1 and B2 in the 'potential conflict with status of SEOs column - likely to be mitigated' for the following draft Plan objectives: TR6, TR7, TA6, TA7, TF1, TTP1, TTP8, PHM1, PHM2, TTP9, WS4, WM1, GE1, GE2, GE3, CZ6, CZ7, and CZ11.

To update the AA as necessary on review of updated SEA Environmental Report.

## **2.2 Environmental Protection Agency (EPA)**

Note that the parts of this submission which relate to the draft Plan will be responded to by the Planning Department. Any Amendments to the draft Plan that are proposed by the Elected Members will be evaluated for their likely significant environmental consequences in a second Addendum (Addendum II) to the SEA Environmental Report

### **2.2.1 Section 2 - Environmental Report**

#### **2.2.1.1 Consultation**

- Consultation should be undertaken with the NPWS with regard to screening of the Plan for Appropriate Assessment.*
- Consideration should be given to providing a list of organisations consulted in relation to the SEA.*

**Response:**

- (i) An AA has been undertaken for the draft Plan. Consultation with the NPWS has been undertaken for this purpose.
- (ii) Section 2.2 *Scoping* identifies that *The Environmental Protection Agency (EPA), the Department of the Environment, Heritage and Local Government (DEHLG) and the Department of Communications, Energy and Natural Resources (DCENR)*<sup>6</sup> *were all sent SEA scoping notices indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to Wicklow County Council. A written submission was received on the scope of the SEA from the EPA. A sentence identifying which organisations attended a Scoping Meeting for the SEA will be inserted into Section 2.2 Scoping of the Environmental Report.*

**Updating the Environmental Report:**

To insert the following sentence into Section 2.2 *Scoping*:

*Representatives from the Eastern Regional Fisheries Boards, the National Parks and Wildlife Service, the Department of Communications, Energy and Natural Resources, Wicklow County Council and CAAS attended an SEA Scoping Meeting on 17 June 2009. The information provided at this meeting - including that which relating to Appropriate Assessment (AA) - was taken into account during the formulation of the scope of the SEA.*

**2.2.1.2 Data Gaps in Baseline Information**

*Where gaps in data have been identified, this should be referred to and also how this will be addressed within the lifetime of the Plan.*

**Response:**

No baseline data gaps were identified which limited the undertaken of the SEA.

**Updating the Environmental Report:**

None.

**2.2.1.3 Existing Environment**

- (i) *Consideration should be given to the to the use of additional relevant data, tables and graphs in the Environmental Report, as appropriate, to illustrate the state of the existing environment and to reveal and examine current trends and existing problems, where they exist, in environmental quality.*
- (ii) *There would be merits in providing a summary table outlining how significant effects are linked directly to proposed mitigation measures, monitoring measures and a Policy or Objective in the Plan.*

**Response:**

- (i) The Environmental Report contains sufficient baseline data to illustrate the state of the existing environment and to reveal and examine current trends and existing problems, where they exist.
- (ii) A table will be provided identifying how likely significant effects (if unmitigated) are linked to relevant mitigation measure(s) and indicator(s) which will be used for monitoring.

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<sup>6</sup> The Marine function of the Department of Communications, Marine and Natural Resources has been transferred to the Department of Agriculture Food and Fisheries

### **Updating the Environmental Report:**

To insert a new Section into the Environmental Report (Section 11 SEA *Summary Table*) which identifies how likely significant effects (if unmitigated) are linked to relevant mitigation measure(s) and indicator(s) which will be used for monitoring.

#### **2.2.1.4 Zone of Influence of Plan**

*The Environmental Report should identify the zone of influence of the Plan outside the Plan area e.g. possible impacts on air quality, water quality, habitat and protected areas in adjoining areas or counties.*

#### **Response:**

The Environmental Report considers the likely significant impacts on air quality, water quality, habitat and protected areas both within and outside of the Plan area.

### **Updating the Environmental Report:**

None.

#### **2.2.1.5 Assessment of Environmental Effects**

*In assessing the likely significant effects of the Plan the full range of effects, as set out in Annex I of the SEA Directive - "secondary, cumulative, synergistic, short, medium and long term, permanent, temporary, positive and negative effects", should be assessed and reported on.*

*In particular, the potential for cumulative effects in combination with other relevant Plans and projects within and adjoining the Wicklow area.*

#### **Response:**

Refer to the following Sections of the Environmental Report:

- Section 3.10 - Overlay Mapping of Environmental Sensitivities;
- Section 6 - Description of Alternative Plan Scenarios;
- Section 7 - Evaluation of Alternative Plan Scenarios; and,
- Section 8 - Evaluation of Draft Plan Provisions.

### **Updating the Environmental Report:**

None.

#### **2.2.1.6 Mitigation Measures**

- (i) *Mitigation measures proposed should be directly linked to the specific relevant significant effects identified in the Environment Report. There would be merits in providing a summary table in the Environmental Report, outlining how each likely significant effect is linked directly to relevant mitigation measure(s), monitoring measure(s) and where appropriate a specific Policy or Objective in the Plan.*
- (ii) *Overall, it should be ensured that mitigation measures are included for all likely significant effects and that all proposed mitigation measures are reflected by way of specific Policies/Objectives in the Plan. Where mitigation measures are proposed, a clear commitment to implement the necessary proposed mitigation measures should be included in the Plan.*

#### **Response:**

- (i) See *Response* under Section 2.2.1.3 (ii).
- (ii) The mitigation measures which have been integrated into the Plan cover all likely significant effects.

### Updating the Environmental Report:

- (i) See *Updating Environmental Report* under Section 2.2.1.3 (ii).
- (ii) None.

### 2.2.1.7 Monitoring Measures

*Consideration should be given to the following:*

- (i) *Water Quality in Ireland 2006 - Key Indicators in the Aquatic Environment*
- (ii) *Environment in Focus 2006 - Environmental Indicators for Ireland*
- (iii) *The setting of appropriate thresholds, which would determine when intervention measures might be required*
- (iv) *The inclusion of monitoring frequency and responsibility*
- (v) *The inclusion of the frequency and responsibilities for reporting on the monitoring*
- (vi) *Monitoring of both positive and negative effects, where they occur*
- (vii) *Inclusion of the on-going review of environmental targets and indicators in the monitoring programme. Responsibility for this role should be clearly defined.*

*The Monitoring Programme should be flexible and should be able to deal with specific environmental issues as they arise. The programme must be able to monitor cumulative effects.*

### Response:

- (i) This publication was considered in the identification of indicators for the monitoring programme for the Plan.
- (ii) This publication was considered in the identification of indicators for the monitoring programme for the Plan.
- (iii) Thresholds are identified in Section 10.7 of the Environmental Report.
- (iv) Sources for each indicator are identified in Section 10. It is not considered necessary to identify monitoring frequency and responsibility.
- (v) These are identified in Sections 10.5 and 10.6 of the Environmental Report.
- (vi) Indicators for both positive and negative effects are identified.
- (vii) Section 10.6 will be updated to identify that the ongoing review of targets and indicators as necessary is the responsibility of the Council.

### Updating the Environmental Report:

(vii)  
To replace: *The Council is responsible for collating existing relevant monitored data, the preparation of a monitoring report, the publication of this report and, if necessary, the carrying out of corrective action.*

With: *The Council is responsible for collating existing relevant monitored data, the preparation of a monitoring report, the publication of this report, if necessary, the carrying out of corrective action and ongoing review of targets and indicators as necessary.*

## 2.3 An Taisce

Note that parts of this submission - other than those identified below - will be responded to by the Planning Department. Any Proposed Amendments to the draft Plan will be evaluated for their likely significant environmental consequences in a second Addendum (Addendum II) to the SEA Environmental Report

### 2.3.1 Point 1: 9.3 Wildlife Habitats

*The submission recommends the replacement of Objective BD4:*

*“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.”*

*With:*

*“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) & 6 (4) of the Habitats Directive.*

*It is the policy of the Planning Authority:*

- To refer any application for development to the National Parks & Wildlife Service where there is a possibility that the proposed development may have an impact on proposed or designated European Sites and Natural Heritage Areas.*
- To prohibit development which, individually or cumulatively, would have a direct or indirect adverse impact on these areas.*
- To retain European Sites and Natural Heritage Areas in their natural or unmodified state.*
- To promote areas for appropriate development, primarily for recreational or educational purposes, that would not conflict with the primary conservation objectives of the site.”*

#### **Response:**

An AA has been undertaken for the draft Plan. This Assessment concludes that: “the draft Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon the draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>7</sup>”. The recommendation outlined in the submission is therefore unnecessary for the protection of Natura 2000 sites.

#### **Updating the Environmental Report:**

None.

### 2.3.2 Point 2: 14.0 Implementation and Monitoring - SEA Indicators

*Section 15(2) of the Planning & Development Act 2000 requires that not more than two years after the making of the Draft Development Plan the Manager must provide a report to the Elected Members on the progress achieved in securing the objectives of the plan. Section 6 of the Development Plan Guidelines 1997 sets out guidance as to how the implementation of the policies and objectives of a development plan can be achieved. The Guidelines state that policies and objectives must be capable of implementation and it must be possible to monitor and evaluate the effectiveness or otherwise of achieving stated aims. Monitoring involves the collation and analysis of performance data which must be linked to an evaluation process so that effectiveness can be measured against stated criteria.*

*It is noted that the Draft Development Plan does not include any Implementation & Monitoring Measures. This approach does not accord with the DoEHLG Development Plan Guidelines 2007. It is of crucial importance that the Planning Authority amends the Draft Development Plan to include policies and objectives which are formulated in a manner which will allow them to be readily measured and appraised*

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<sup>7</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available,
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.

*for implementation. Effective monitoring should be carried out on an on-going basis and not limited to periodic one-off exercises. Monitoring should be continuous.*

*It is noted that, in accordance with the SEA Directive, the accompanying Environmental Report includes monitoring measures and associated indicators, targets and source of implementation. These monitoring measures should be incorporated into the Draft Development Plan text and clear statements included which sets out the intentions and the key priorities of the Planning Authority with respect to implementation.*

**Response:**

Monitoring measures are included in the Environmental Report in compliance with Article 10 and Annex 1 of the SEA Directive and Article 7 and Schedule 2B of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004) in order to monitor the likely significant environmental effects of implementing the Plan.

The requirement to prepare a Manager's report for the Elected Members on the progress achieved in securing Development Plan objectives within two years of the making of the Plan is separate to that of the SEA Directive and SI No. 436 of 2004 - it is required under section 15 of the 2000 Planning Act as amended.

There is no requirement to include the SEA Environmental Report indicators in the County Development Plan text.

A preliminary monitoring evaluation report on the significant environmental effects of implementing the Plan will be prepared to coincide with the Manager's report mentioned above.

**Updating the Environmental Report:**

None.

## **2.4 Wicklow Town Council**

Note that parts of this submission - other than that which is identified below - will be responded to by the Planning Department. Any Proposed Amendments to the draft Plan will be evaluated for their likely significant environmental consequences in a second Addendum (Addendum II) to the SEA Environmental Report.

### **2.4.1 Point 1: Appropriate Assessment (AA)**

*The submission requests the inclusion of more specific guidance and assessment criteria for undertaking appropriate assessments of developments in order to determine their effects on Natura 2000 sites.*

**Response:**

There is no requirement for the draft Plan to include specific guidance and assessment criteria for undertaking AAs of developments. The DEHLG recently issued guidance on AA<sup>8</sup> and it is recommended that this Guidance be referred to in the draft Plan.

**Updating the Environmental Report:**

None.

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<sup>8</sup> DEHLG (2009) *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities* Dublin: DEHLG. Available at <http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>