



21st February 2023

For the Attention of: Mr. Brian Gleeson, Chief Executive

Wicklow County Council
County Buildings
Whitegates
Wicklow Town
County Wicklow
A67 FW96

**Section 31 of the Planning and Development Act 2000 (as amended)
Decision to Issue a Direction to Wicklow County Council on the
Wicklow County Development Plan 2022 - 2028**

Dear Brian,

I am writing to inform you of the following in relation to the Section 31 draft Direction issued to Wicklow County Council on 24th October 2022, and the subsequent consideration by the Office of the Planning Regulator ('the Office') of your report and the submissions made directly to the Office in connection with the Wicklow County Development Plan 2022 – 2028, as adopted by the elected members of Wicklow County Council on 12th September 2022.

The Office notified the Minister pursuant to section 31AN(4) of the Planning and Development Act 2000 ('the Act') on 12th January 2023 and recommended that I as Minister, issue the Direction, as attached to the *Notice of Intention to Issue a Direction* dated 24th October 2022, without material amendment to the draft Direction.

The draft Direction contained the following parts:

- Part 2(a) reinstate settlement boundaries and zoning objectives to those set out in the draft Plan in the case of four (4) individual material amendments in Kilpeddar-Willowgrove, Johnstown, Ashford, and Carnew;
- Part 2(b) delete two (2) zoning objectives from the settlement zoning map for Aughrim; and



- Part 2(c) delete the objective and associated map in respect of a new nursing home / residential care facility for the elderly at Kilmullen, Newcastle.

A copy of the notice letter and proposed final Direction was submitted to the Minister by the Office along with supporting documentation, which included the following:

- Wicklow County Council Chief Executive's Report issued under section 31(8) of the Act;
- A copy of submissions received by the OPR pursuant to section 31(10) of the Act.

Having reviewed and considered the Office's notification letter under section 31AN(4), your report on the draft Direction and submissions received, and the submissions made directly by elected members of the Council to the Office, I am of the opinion that the Direction should be issued to effect recommendations (2)(a)(i), (2)(a)(ii) and (2)(a)(iv); (2)(b)(i) and (2)(b)(ii) and (2)(c) of the Office, and in that regard I refer you to the Statement of Reasons set out in the enclosed Direction.

I have decided not to include recommendation 2(a)(iii) issued by the Office under section 31AN(4), in the Direction, which would have required the following:

Reinstate the following settlement boundaries and zoning objectives to that of the draft Plan:

Amendment V2 – 99 (Ashford) i.e. the settlement boundary reverts to the draft Plan and the subject land reverts to unzoned from RN- New Residential.

My reasons for not including this recommendation in the Direction are set out as follows:

1. The subject lands are contiguous to an approved Strategic Housing Development which is nearing completion and which has the potential to provide access to the subject lands with the result that the lands may be considered to be serviced and may be developed for housing within the life of the County Development Plan.
2. The subject lands are contiguous to the existing urban environment of Ashford.

In light of my decision you will note that there are consequent changes to the numbering of the elements of the Direction in its final form, and the date of the Direction has been amended from '2022' to '2023'.



Accordingly, Wicklow County Council should **TAKE NOTICE** that on the 21st day of February, 2023 I have issued a Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended). Pursuant to Section 31(17) of the Act this Direction is deemed to have immediate effect and its terms are considered to be incorporated into the plan. A copy of this Direction is enclosed.

In light of the foregoing, Wicklow County Council is required, pursuant to Section 31(2) of the Planning and Development Act 2000 to comply with this Direction so as to rectify the matter in a manner that, in my opinion, will ensure that the Wicklow County Development Plan 2022 - 2028 sets out an overall strategy for proper planning and sustainable development and meets the requirements of the Act.

The Council should ensure that the Direction is available for inspection at its offices and on its website.

My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,



**Darragh O'Brien, TD,
Minister for Housing, Local Government & Heritage**

Copied to:

- Cathaoirleach, Wicklow County Council, County Buildings, Whitegates, Wicklow Town, County Wicklow, A67 FW96
- Office of the Planning Regulator, Fourth Floor (West Wing) Park House, Grangegorman, 191-193A North Circular Road, Dublin 7, D07 EWV4.
- Mr. Jim Conway, Director, Eastern & Midland Regional Assembly, 3rd Floor North, Ballymun Civic Centre, Main Street, Ballymun, Dublin 9, D09 C8P5.