



Draft Wicklow Town – Rathnew LAP Submission - Report

Who are you:	State Body
Name:	Department of Housing, Local Government & Heritage
Reference:	DWTRLAP-092218
Submission Made	November 20, 2024 9:23 AM

Topic

Heritage / Biodiversity / Heritage Maps

Submission

A Chara,

Please find attached Heritage Related recommendations for the above mentioned LAP application.

Regards
Diarmuid

Diarmuid Buttimer
Executive Officer

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

—
Diarmuid.Buttimer@npws.gov.ie
Manager.DAU@npws.gov.ie

[File](#)

LAP00036-2024 Draft Wicklow Town - Rathnew Local Area Plan 2025.pdf, 0.28MB



Planning Ref: **LAP00036/2024**
(Please quote in all related correspondence)

20 November 2024

Forward Planning Team
Wicklow County Council
County Buildings
Wicklow Town
County Wicklow
A67 FW96

Via upload: Online Consultation Portal

Proposed Development: Wicklow County Council: Draft Wicklow Town - Rathnew Local Area Plan 2025: Wicklow.

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings

Nature Conservation

The following observations are made by the Department in its role as the authority with overarching responsibility for nature conservation and the nature Directives (i.e. the EU Birds and Habitats Directives) and as an environmental authority under SEA legislation. The observations are not exhaustive and are offered to assist Wicklow County Council in meeting its obligations in relation to nature conservation, European sites, biodiversity and environmental protection in the preparation of the **Draft Wicklow Town - Rathnew Local Area Plan 2025**.

SLO4 – Bollarney North

The Department is concerned at the zoning of SLO4 at Bollarney North for New Residential (RN-Priority 2), Open Space (OS1), Public Utility (PU) and Community/Education (CE) for the following reasons:

Potential Impacts to the Murrough Special Protection Area (SPA) Site Code 004186.

The zoning lies within 75 metres of the Murrough Special Protection Area 004186 and the Broad Lough wetland. The SPA is designated for a number of over-wintering waterbird Special Conservation Interest (SCI) species which are found within the Broad Lough area. Additionally, Little Egret is known to breed in this area. The SCI species are sensitive to



recreational disturbance and Conservation Objectives for a number of them deal with the issue of disturbance.¹

Disturbance relates to any activity that results in a waterbird being displaced from an area. Moving in response to disturbance, especially if frequent, can exert pressures upon a waterbird's foraging success as well as exerting an energetic cost due to flying to an alternative foraging area. Disturbance can also act upon roosting habitat thereby increasing a bird's energy expenditure in the same way.

It is noted that there is access to the SPA at the opposite side of Broad Lough, past the wastewater treatment plant, and that this area of the SPA is heavily used by dog walkers, bird watchers and others for recreation. The Department is concerned that short-term displacement of birds due to disturbance on this side may be more significant if the birds have reduced similar habitat to move to due to existing disturbance issues.

The proposed linear green route for walking and cycling (minimum width if 8 metres) is mapped as running parallel with the SPA, along the length of SLO4 at its closest point to the SPA. This may introduce disturbance such as noise, lighting etc. Furthermore, it should be borne in mind that Section 68(1) of the Roads Act, 1993 (as amended) states that a "cycleway" means a public road or proposed public road reserved for the exclusive use of pedal cyclists or pedal cyclists and pedestrians and therefore any cycleway should be considered a new public road. Road construction activities in the vicinity of watercourses are potential sources of sediment input, which may originate from the associated earthworks, exposed soil banks resulting from excavations or vegetation removal, soil storage areas or the construction of road crossings. Surface water run-off may increase the likelihood of pollutant mobilisation during storm events and reduce the buffering provided by vegetated land adjacent to the SAC/SPA by replacing it with hard infrastructure.

The proposed residential development and proposed 50 space car park may lead to increased use of the Broad Lough by walkers. It has been shown repeatedly across studies that dogs on and off lead, and people walking are found to elicit the highest levels of response behaviour from waterbirds. Additionally, the carpark is considered to be a medium risk pollution hazard development.² Urban carparks represent a major source of storm water pollutants such as Total Suspended Solids (TSS), heavy metals (e.g. Zn, Cu and Pb), anthropogenic organic compounds such as hydrocarbons, nutrients and pathogens. Runoff from carparks is therefore considered to be a significant source of pollutants to local receiving waterways affecting aquatic life.³

The wintering populations of some Special Conservation Interest bird species in the SPA can make extensive use of suitable habitats in important areas outside the SPA for foraging and roosting. The extent, availability and quality of these supporting habitats may be of importance for the resilience of the SPA population. A Conservation Objective target for the

¹ NPWS (2024) Conservation Objectives: The Murrrough SPA 004186. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

² SDCC (2022) Sustainable Drainage Explanatory Design & Evaluation Guide

³ Poudyal, S. et al, (2021) Carpark pollutant yields from first flush stormwater runoff, Environmental Challenges, Vol. 5, Dec. 2021



SPA is to have sufficient area of utilisable habitat available in ecologically important sites outside the SPA. It is not known whether zoning this land will lead to loss of such supporting habitat and thereby undermine the conservation objectives for the SPA.

Potential Impacts to the Murrough Wetlands Special Area of Conservation (SAC) Site Code 002249

The zoning lies within 75 metres of the Murrough SAC and the Broad Lough wetland. This area if Broad Lough contains two Qualifying Interest (QI) habitats for which the SAC is designated; 1410 Mediterranean salt meadows (*Juncetalia maritime*) and 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)⁴.

The proposed SLO4 zoning raises concerns due to a potential risk of trampling (increased visitor pressure) and other impacts such as on water quality during construction and operation on these sensitive coastal habitats. Damage to the Qualifying Interest habitats due to drainage impacting on hydrology and construction of a track for a tracked vehicle at Broad Lough was noted during a 2019 site survey and therefore these cumulative impacts must be included in the Appropriate Assessment⁵.

Conclusion

In the absence of an objective assessment of the impact of the zoning of SLO4 at this location, the Department considers that it cannot be concluded that there is no risk of adverse effects on the integrity of the European sites for the reasons outlined above. Whilst development within and close to European sites is not precluded, in order for the proposed zoning to be deemed acceptable, any likely significant effects of the proposed objective would need to be fully assessed and address by means of site-specific mitigation measures. High-level mitigation measures proposed in the draft Natura Impact Report are not deemed appropriate to deal with the impacts of zoning SLO4 for development.

The conclusions in the Natura Impact Report (NIR) that it demonstrates that, 'upon inclusion of suitable mitigation measures, the Draft Plan will not result in any adverse effects to the ecological integrity of any European site' is therefore not supported by evidence that adverse effects will be avoided. This conclusion is not a complete, precise or definitive finding and conclusion, and reasonable scientific doubt remains as to the adverse effects of the zoning of SLO4 for development on the European sites in question.

⁴ NPWS (2021) The Murrough Wetlands SAC (site code; 002249) Conservation objectives supporting document – Coastal habitats Version 1.

⁵ Brophy, J.T., Perrin, P.M., Penk, M.R., Devaney, F.M. and Leyden, K.J. (2019) Saltmarsh Monitoring Project 2017-2018. Irish Wildlife Manuals, No. 108. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht, Ireland.



You are requested to send further communications to the Development Applications Unit (DAU) at manager.dau@npws.gov.ie, or to the address below.

Is mise le meas,

A handwritten signature in black ink, appearing to read 'Diarmuid Buttiner', is written over a circular stamp or seal.

Diarmuid Buttiner
Development Applications Unit
Administration