



## Draft Wicklow Town – Rathnew LAP Submission - Report

Who are you:	State Body
Name:	The Office of the Planning Regulator
Reference:	DWTRLAP-174832
Submission Made	November 20, 2024 5:51 PM

### Topic

Overall Vision and Strategy of LAP

### Submission

A chara,

Please see attached the OPR submission on the Draft Wicklow Town - Rathnew Local Area Plan 2025. Please note that the attached submission applies to the plan in its entirety.

Kind regards,  
Iuliu Tudose, OPR

### File

2024.11.20 OPR Submission on draft Wicklow Town Rathnew LAP 2025 DP-023-23.pdf,  
0.48MB

20<sup>th</sup> November 2024

Administrative Officer,  
Planning Department,  
Wicklow County Council,  
County Buildings,  
Station Road,  
Wicklow Town,  
A67 FW96.

**Re: Draft Wicklow Town - Rathnew Local Area Plan 2025**

A chara,

Thank you for your authority's work on preparing the Draft Wicklow Town - Rathnew Local Area Plan 2025 (the draft Local Areal Plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable and evident work your authority has put into the preparation of the draft Local Area Plan.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.

The Office has evaluated and assessed the draft Local Areal Plan under the provisions of sections 31AO(1) and 31AO(2) of the Planning and Development Act 2000, as amended (the Act) and this submission has been prepared accordingly.

The Office's evaluation and assessment has had regard to the Wicklow County Development Plan 2022-2028 (the County Development Plan), the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA) area, and relevant section 28 guidelines. This submission makes six (6) recommendations and two (2) observations.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of

Government, as set out in the Ministerial guidelines under section 28. As such, Wicklow County Council (the Planning Authority) is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The Planning Authority is requested by the Office to action an observation.

A submission can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The Planning Authority is requested by the Office to give full consideration to the advice contained in a submission.

## **Overview**

The Office welcomes the preparation of the draft Local Area Plan and the approach taken by the Planning Authority to focus on the consolidation and regeneration of Wicklow town and Rathnew village to enhance compact growth, public realm and improve connectivity across the plan area.

Wicklow Town - Rathnew has been identified as a settlement of strategic potential under the RSES for the EMRA. The policy framework set out by the draft Local Areal Plan plays an important role in ensuring the sustainable development and expansion of the settlement over the forthcoming years.

The Office welcomes the consolidation of the Local Areal Plan boundary and the rationalisation of substantial strategic reserve lands included in the Wicklow Town – Rathnew Development Plan 2013-2019, which were less favourably located, and / or had significant infrastructure constraints.

The Office strongly commends the identification of strategic sites for regeneration, including the objectives for public realm improvements and active travel enhancements focussed on Wicklow town centre, the Waterfront area and Rathnew village. The Office supports the provision of a clear development basis to facilitate land activation of these sites over the plan period.

The draft Local Areal Plan includes the relevant statutory reports including Appropriate Assessment Screening, Strategic Environmental Assessment Report and Strategic Flood Risk Assessment (SFRA) as well as a Social Infrastructure Audit, which are welcomed by the Office. However, the Office notes that additional fundamental supporting documents such as a Settlement Capacity Audit (SCA) for lands zoned for New Residential and Employment uses and a Local Transport Plan (LTP) have not been prepared.

The County Development Plan states:

*Detailed 'Infrastructural Assessments' in accordance with NPO 72 and the methodology for a Tiered Approach to Zoning set out under Appendix 3 of the NPF shall be carried out for all lands proposed to be zoned and de-zoned in future Local Area Plans.*

However, no such assessment has been included to support the land use zoning objectives proposed in the draft Local Area Plan. These documents provide the critical evidence-base upon which the draft Local Area Plan is underpinned, as well as supporting rationale for such decisions.

While the Office acknowledges the publishing of a Local Transport Assessment (LTA), as appendix 1 to the draft Local Areal Plan, it is of concern that an Area Based Transport Assessment as per National Transport Authority guidance, has not been carried out to support the preparation of an LTP for the plan area, as required under CPO 12.3 of the County Development Plan and under RPO 8.6 of the RSES. A key function of LTPs, as set out under the RPO 8.1 of the RSES, is to ensure the integration of land use and transport planning at local level.

With the exception of the specific concerns set out below, the draft Local Area Plan otherwise sets out a clear strategy and framework for the future development of the lands concerned. The issues raised below largely focus on supporting the delivery of the vision of the Local Area Plan and building on the ambition of the County Development Plan to develop well-serviced, well-connected and sustainable neighbourhoods, and promote sustainable modes of transport.

It is within this context that the submission below sets out six (6) recommendations and two (2) observations under the following themes:

<b>Key theme</b>	<b>Recommendation</b>	<b>Observation</b>
<a href="#">Residential Development Strategy</a>	<a href="#">Recommendation 1</a>	-
<a href="#">Transport and Accessibility</a>	<a href="#">Recommendation 2</a>	-
<a href="#">Flood Risk Management</a>	<a href="#">Recommendation 3</a>	-
<a href="#">Economy and Employment</a>	<a href="#">Recommendation 4</a> and <a href="#">5</a>	-
<a href="#">Climate Action</a>	-	<a href="#">Observation 1</a>
<a href="#">Environmental Assessments</a>	<a href="#">Recommendation 6</a>	-
<a href="#">Implementation and Monitoring</a>	-	<a href="#">Observation 2</a>

## **1. Consistency with the Regional, Spatial and Economic Strategy**

Wicklow Town - Rathnew is located within the Eastern and Midland Region and is designated as a Key Town in the RSES. The RSES recognises the strategic importance of Wicklow Town – Rathnew as a central point of the coastal area of the county where the potential to strengthen the local employment base, promote compact growth and deliver sustainable transport exists.

Key priorities are to strengthen the local employment base, improve sustainable transport and promote compact growth with a focus on regeneration, development of the port and harbour area, and to expand Wickow - Rathnew’s role as a hub for tourism, training and education.

Overall, the Office is satisfied that the provisions of the draft Local Area Plan are broadly consistent with the RSES.

## **2. Consistency with development plan and core strategy**

Section 19(2) of the Act requires a local area plan to be consistent with the objectives of the development plan and its core strategy. This requirement also applies under section 20(5) of the Act.

Section 2 of the draft Local Area Plan sets out the vision and strategy of the draft Local Area Plan and how it complies with the core strategy of the County Development Plan. The core strategy allocates a projected population increase of 7,850 with a corresponding housing supply target of 1,742 units to Wicklow Town – Rathnew up to 2031.

The Office considers that the strategy set out in the draft Local Area plan in respect of the delivery of these targets is generally consistent with the County Development Plan, except where otherwise specified below.

The Office is also satisfied that the overall approach in the draft Local Areal Plan which promotes consolidation and sequential development, and regeneration within the central area is generally consistent with the strategic objectives and Objective CPO 4.1 of the County Development Plan.

### **3. Residential Development Strategy**

Chapter 4 of the Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines) outlines the approach for zoning that should be followed by planning authorities.

The Planning Authority proposes to zone 75 ha for New Residential development. In determining land area required to accommodate the projected growth, the Office notes that residential use is also open for consideration on lands identified as Town and Village Centre, Local Shops and Services and the Waterfront land use zoning objectives.

The Office welcomes the zoning objectives for New Residential Priority 1 lands which are well located and will facilitate the compact and sustainable growth of the town in a sequential manner.

Further, the clear policy approach outlined in the draft Local Area Plan in respect of density and the sequential approach to zoning is welcomed.

However, no SCA / Infrastructure Assessment has been included in the draft Local Area Plan to demonstrate that the lands zoned as New Residential Priority 1 and/or 2 have been evaluated to ensure the infrastructure capacity exists or will be delivered over the plan period and to demonstrate either Tier 1 or Tier 2 status for these undeveloped lands contrary to RPO 4.2 of the RSES and CPO 4.1 of the County Development Plan to align the settlement / core strategy to infrastructure.

## Recommendation 1 - Co-ordination of housing delivery and infrastructure

Having regard to the provision of new homes at locations that can support compact and sustainable development and the co-ordination of housing delivery and infrastructure, and in particular to:

- RPO 4.2 of the RSES to align the settlement strategy to infrastructure investment;
- Policy Objective CPO 4.1 of the County Development Plan to implement the core strategy having regard to the availability of services and infrastructure; and
- the policy and objective for zoned land to be informed by a Settlement Capacity Audit (SCA) under section 6.2.1 of the Development Plans Guidelines for Planning Authorities (2022),

the Planning Authority is required to:

- (i) prepare a Settlement Capacity Audit and engage with the relevant statutory bodies to identify that the lands zoned for New Residential are serviceable within the plan period; and
- (ii) review the zoning objectives to ensure that lands that cannot be reasonably or cost effectively delivered within the plan period are not zoned for development.

## 4. Transport and Accessibility

The Office recognises that the LTA, as prepared, sets out useful information and objectives regarding transport infrastructure and can form the basis for the main elements of an LTP to support the draft Local Areal Plan.

However, as outlined in the RSES, LTPs are required for key towns to set out transport investment priorities across all modes for the plan area and to ensure the integration of land use and transport planning and the achievement of the National Planning Framework's objective of compact growth.

Given the key town status of Wicklow – Rathnew under the RSES and noting its county town function, having the main elements of an LTP integrated into the draft Local Area

Plan will be critical to support the sustainable development of the plan area and the achievement of national climate action targets.

The Office therefore recommends that the LTA and the draft Local Areal Plan are revised to reflect the main LTP requirements of the RSES with respect to the items outlined below.

Table 3 of the LTA highlights that active travel and public transport mode shares for travelling to work, have not shown any significant increase from 2011 to 2022, with the overall number of people using active modes declining. The LTA notes this is concerning given the increase in investment in these modes over the last decade. It recognises that a greater uptake of active and sustainable modes is needed to enable the achievement of mandatory climate action targets to reduce emissions by 51% by 2030, as required under national climate action targets and as set out in section 4.3 of the Wicklow Climate Action Plan 2024-2029 (Wicklow CAP). Having clear modal shift ambitions will be important to achieving these targets.

The Office notes however that mode share targets have not been included in the LTA or the draft Local Areal Plan and it is recommended that ambitious but realistic mode share targets are proposed together with an effective monitoring programme.

As noted above, the number of people using active travel in the plan area is declining, with particularly low cycle usage identified for secondary school students in Wicklow town. These issues merit strong attention and the Office welcomes the appraisal in the LTA, section 2, of the regional routes (R772, R752, R750 & R751) within the plan area, and the setting out of specific recommendations with respect to cycle and pedestrian improvements.

It is noted however, that the detail of these recommendations is not reflected in the Transport Strategy map or in section 3.1 of the LTA. While there is a general reference to pedestrian and cycle improvements 'along all main routes', it is recommended that the interventions are listed, mapped and prioritised as appropriate for implementation.

In addition, while the appraisal of the regional routes is welcome, it is critical that the transport assessment also focuses on active travel desire lines to key destinations, which may not be on the regional routes, including but not limited to schools, with network



deficiencies identified. It is recommended that an assessment in this respect is included in the LTA with deficiencies and interventions highlighted and prioritised for progression.

A key function of LTPs, as set out under the RPO 8.1 of the RSES, is to ensure the integration of land use and transport planning at local level. The Office is concerned that the LTA does not include an adequate focus on the connectivity needs of the emerging development areas listed as Specific Local Objectives (SLO). While the SLO Concept Plans do give indicative connectivity details at site level, there is no detail on connectivity to the wider network and any deficiencies that may exist.

In addition, while the Office understands the intent of objective CPO 12.5 of the County Development Plan, as listed in the LTA section 3.1, it is likely that network deficits will exist in areas outside of developers' control and it is recommended that these are identified through the LTA and prioritised for improvements within the Local Area P. An overlay of the emerging active travel network for the plan area with a map of key development areas is strongly recommended

The Office commends the progression of public realm and active travel related projects in the town, including the pathfinder project from the train station to the town centre. It is recommended that projects being progressed or within scope, are included in the Transport Strategy map together with the wider suite of proposed active travel interventions, to form a clear picture of the emerging active travel network for the plan area. The interventions to be prioritised for progression during the plan period should be clearly highlighted.

The LTA notes in particular that the completion of the Rathnew Inner Relief Road scheme will facilitate the progression of active travel and public realm improvements in the village. The Office also welcomes the inclusion of Strategy maps in Chapter 5, Key Regeneration Areas, for Wicklow town centre, the Waterfront area and Rathnew village. It is recommended however that the Strategy maps, be revised together with the supporting objectives to include stronger detail and clarity regarding the proposed public realm and active travel enhancements for these key regeneration areas. It would also be useful to distinguish proposed interventions from existing public realm enhancements on the Strategy maps and to highlight which measures are to be progressed during the plan period.

As already noted, there has been no significant increase in public transport usage over the last three census periods. This issue merits particular attention and while the inclusion of public transport related objectives in the draft Local Area Plan, chapter 9, is welcome, there is a concern that the LTA has not assessed the adequacy of existing facilities for bus based public transport, including bus stop waiting facilities, suitability of stop locations and accessibility for existing and proposed development areas as well as general efficiency of existing bus operating conditions through the plan area.

Further, it is considered that the LTA and draft Local Area Plan should be stronger in terms of objectives to reduce car parking over time in central areas and to ensure sustainable forms of transport are encouraged and facilitated. Linked to this is the objective to develop a car park on the Port Access Road adjacent to Wicklow train station and how over provision of car parking at this location would not be in accordance with the principles of proper and sustainable Transit Orientated Development.

It is recommended that an assessment in this regard is incorporated into the LTA with recommendations for improvements highlighted and incorporated into the objectives of the draft Local Area Plan.

### **Recommendation 2 - Integrated Land Use and Transport Planning**

Having regard to the provision of a sustainable Transport Strategy and the transition to a low carbon and climate resilient society including the reduction of greenhouse gas emissions, and in particular to:

- The Climate Action and Low Carbon Development Act 2015, as amended, mandatory target to reduce greenhouse gas emissions by 51%, and the Climate Action Plan 2024, and associated actions including the National Sustainable Mobility Policy (2022) targets to reduce vehicle kilometres travelled per year and the National Investment Framework for Transport in Ireland (2021);
- RPO 8.1 and RPO 8.4 of the RSES for the integration of land use and transport planning;

- RPO 8.3 of the RSES that future development is planned and designed in a manner which maximises the efficiency and protects the strategic capacity of the metropolitan area;
- RPO 8.6 of the RSES to prepare Local Transport Plans for selected settlements in the Region;
- Sustainable Mobility Objectives CPO 12.1, CPO 12.2 and CPO 12.3 of the County Development Plan;
- Cycling & Walking Objectives CPO 12.13, CPO 12.14, CPO 12.15, CPO 12.16 and CPO 12.17 of the County Development Plan; and
- Public Transport Objectives CPO 12.20 and CPO 12.21 of the County Development Plan,

the Planning Authority is required to:

- (i) Revise the Local Transport Assessment (LTA) and Transport Strategy in order to address the following items:
  - a) assess the active travel connectivity needs of new housing and employment development areas including access onto the wider town network;
  - b) assess deficiencies along pedestrian and cycle desire lines to key destinations;
  - c) incorporate the specific active travel recommendations, identified in section 2 of the LTA under the appraisal of regional routes R772, R752, R750 & R751, into section 3.1 of the LTA and into the Transport Strategy map;
  - d) amend the Transport Strategy map to include all planned and proposed active travel interventions to form a clear picture of the emerging active travel network; and
  - e) assess conditions for bus based public transport, including waiting facilities, stop locations and accessibility as well as efficiency of bus operating conditions through the plan area. Measures to address deficiencies should be clearly highlighted and included in section 3 of

the LTA and incorporated into the Draft Wicklow Town - Rathnew Local Area Plan 2025 (the draft Local Areal Plan);

- (ii) revise the draft Local Area Plan to incorporate the measures and proposed modal networks of the LTA and include policy support for the proposed interventions together with clear mapping of all measures on the Transport Strategy map;
- (iii) amend the draft Local Area Plan to include mode share targets and an effective monitoring programme;
- (iv) amend the Key Regeneration areas' objectives and Strategy Transport maps in chapter 5 of the draft Local Area Plan, to include stronger detail and clarity regarding the proposed public realm and active travel enhancements;
- (v) amend chapter 9 of the draft Local Area Plan to Identify the sustainable transport initiatives to be prioritised during the life of the plan; and
- (vi) review the extent of land identified for car parking at the Port Access road adjacent to Wicklow Train Station, in the context of the planned strategic Ashford Park & Ride facility and the Transit-Oriented Development (TOD) principle and include appropriate objectives within the draft Local Area Plan to support TOD in line with the provisions of the Greater Dublin Area Transport Strategy 2022-2024.

## **5. Flood Risk Management**

The Office welcomes the preparation of the SFRA and high quality approach taken to the Plan Making Justification Tests (Justification Tests) to inform the policies and objectives of the draft Local Areal Plan which is of a very high standard.

The Office also acknowledges and supports the identification of flood risk zones in map no 4. However, these have not been overlaid on the land use zoning maps. It is difficult therefore to fully understand the implications of flood risk across the plan area, and the Planning Authority is advised to overlay the future scenario mapping on the land use zoning maps in order to provide clarity on areas at risk from climate change. In addition, the SFRA utilises data from the national scale coastal flood hazard maps from the ICPSS

which are now superseded by the outputs of the National Coastal Flood Hazard Mapping (NCFHM) project.

The Office also welcomes the inclusion of Justification Tests. However, the Office requests Part 3 of the Justification Test is reviewed to ensure that it is clearly demonstrated that the specific risk, at the sites which have failed the Justification Test, can be mitigated. For example, in respect of the Justification Test for the lands zoned at the Waterfront, Area 2 (Recreation and Amenity Area) where tourist car parking of motorhomes and caravans, which are classified as a highly vulnerable use, are permitted in principle.

In addition, it is noted that the lands at Wicklow County Campus failed the Justification Test, but the concluding recommendation of the Justification Test outlines that significant areas within the *'the zone is sufficiently large to provide for development of the desired uses which avoiding development in the at risk area'*. In such instances, in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines), any undeveloped lands in Flood Zone A should be zoned for water compatible development, and in Flood Zone B for less vulnerable usage, unless all criteria of the Justification Test can be satisfied.

For existing development, when avoidance or substitution is not possible and all criteria cannot be satisfied, a policy should be included to limit development to minor extensions only in accordance with section 5.28 of the Flood Guidelines and limit new development accordingly.

### Recommendation 3 - Flood Risk Management

Having regard to flood risk management, and in particular,

- RPO 7.12 of the RSES to avoid inappropriate land use zonings and development in areas of risk of flooding in accordance with the Flood Risk Management Guidelines;
- Strategic County Outcome SCO 7 to restrict development in areas that are at risk of flooding, and Policy Objectives CPO 14.06 of the County Development Plan to implement the guidelines of Planning System and

Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines), of the Wicklow County Development Plan 2022-2028; and

- the Flood Guidelines,

the Planning Authority is required to:

- (i) overlay the flood zones maps and future scenario maps with the land use zoning maps in the draft Wicklow Town - Rathnew Local Area Plan 2025;
- (ii) review and amend the flood zone maps to ensure the correct datasets and probability extents have been illustrated or provide a justification to disregard the data from the National Coastal Flood Hazard Mapping (NCFHM);
- (iii) include a policy where all criteria of the Plan Making Justification Tests (Justification Tests) cannot be satisfied, to limit existing development to minor development only as outlined in section 5.28 of the Flood Guidelines and new development to water compatible uses in Flood Zone A and less vulnerable uses in Flood Zone B; and
- (iv) review the undeveloped lands zoned for Wicklow County Campus which are located within Flood Zone A and / or B and, where they do not pass the Justification Tests, rezone such lands in Flood Zone A for water compatible use, and in Flood Zone B for water compatible or substitute for a land use appropriate to the level of flood risk.

The Planning Authority should consult with the Office of Public Works regarding this recommendation.

## **6. Economic Development and Employment**

The Office welcomes the economic development strategy set out in chapter 4 of the draft Local Area Plan which aligns with the towns Key Town status in the RSES. The regional policy of the RSES focuses on enhancing the role of Wicklow Town - Rathnew as a hub for employment, training and education and to provide for strategic employment locations to improve the economic base by increasing the ratio of jobs to work.

The County Wicklow Economic Development Hierarchy<sup>1</sup> identifies that the settlement's economic function is to attract major investment through foreign direct and local investment and people and product intensive industries. To support and grow the economic activity in the settlement, 37 ha of undeveloped land has been zoned for employment uses in the draft Local Area Plan to strengthen and promote economic development in the settlement and build on its existing assets such as Wicklow Port and Harbour, the Wicklow County Campus and its strategic location on the M/N11 corridor and south-eastern rail corridor.

In terms of consistency with regional planning policy RPO 4.2 of the RSES to ensure lands developed for employment uses can be serviced and SCO 5 of the County Development Plan to support the integration of land use and transportation to encourage sustainable mobility it is critical that the draft Local Area Plan does not zone lands for employment uses which are located on lands which are not serviced and which are poorly served by public transport.

In this regard, the Office is concerned that there is no robust rationale underpinning the location and extent of each zoned site in the draft Local Area Plan for employment purposes. As set out at section 6.2.5 of the Development Plans Guidelines, an evidence-based approach to zoning for employment development is a critical part of the County Development Plan preparation process.

It is also unclear that all of the lands zoned for Employment are serviceable within the plan-period and/or that their development is integrated with the timely delivery of sustainable transport infrastructure connections. This is particularly relevant to the lands at Newrath and Charvey Lane / Milltown North, which are located outside the CSO settlement boundary<sup>2</sup> and in peripheral locations that are inconsistent with the achievement of compact growth, will contribute to the continuance of a dispersed settlement pattern and also encourage car-based development that will not support the

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<sup>1</sup> Table 9.2 Wicklow County Development Plan 2022-2028

<sup>2</sup> This means within the existing built-up footprint of all sizes of urban settlement, as defined by the CSO in line with UN criteria i.e. having a minimum of 50 occupied dwellings, with a maximum distance between any dwelling and the building closest to it of 100 metres, and where there is evidence of an urban centre (shop, school etc.).

modal shift to active modes contrary to RPO 8.1 of the RSES and CPO 9.6 of the County Development Plan.

Finally, the draft Local Area Plan fails to outline how it has applied the Guiding Principles to Identify Locations for Strategic Employment Development as required by RPO 6.1 of the RSES and the Guiding Principles for the Integration of Land Use and Transportation as required by RPO 8.1 of the RSES.

#### **Recommendation 4 - Economic Development and Employment**

Having regard to the provision of an evidence-based employment strategy, and the location of employment in areas that can support more sustainable transport options, and in particular to:

- RPO 4.2 of the RSES to require employment development to be planned in collaboration with infrastructure providers to ensure adequate capacity for services is available;
- RPO 6.1 of the RSES to apply the Guiding Principles to Identify Locations for Strategic Employment;
- RPO 8.1 of the RSES for the integration of transport and land use planning consistent with the guiding principles of the RSES transport strategy;
- SCO 5 of the County Development Plan to support the integration of land use and transportation to encourage a sustainable mobility;
- Objective CPO 9.6 of the County Development Plan to promote the development of employment generating uses at locations which comply with sustainable transportation objectives of the County Development Plan; and
- the policy and objective of the Development Plans, Guidelines for Planning Authorities (2022) under section 6.2.1 for zoning to be informed by a Settlement Capacity Audit (SCA), and section 6.2.5 for the provision of an evidence and rationale underpinning the zoning of land for employment purposes,

the Planning Authority is required to:



- (i) provide robust justification for the extent and location of Employment zoned land and to demonstrate that the criteria of the aforementioned national and regional policies have been satisfied, and specifically in respect of the following Employment zonings:
  - (a) Newrath, North of Wicklow County Campus
  - (b) Charvey Lane/Milltown North
- (ii) demonstrate by way of an Infrastructure Assessment / SCA that lands zoned for employment are realistically serviceable within the plan period.

Where an evidence-based rationale consistent with the above cannot be provided for these, or any other Employment zonings, the subject zoning objective should be removed from the Wicklow Town – Rathnew Local Area Plan.

## **6.1 Village Centre Regeneration**

The Office welcomes the inclusion of chapter 5 on the Key Regeneration areas in the draft Local Area plan for both Wicklow town centre and Rathnew village. The strategic sites identified have the potential to act as a regenerative catalyst to increasing the residential, economic and leisure potential of the town centre, while also addressing vacancy, derelict buildings and enhancing the vibrancy of the town and village centre.

It is important that the draft Local Area Plan facilitates and prioritises the regeneration of the Town Centre through appropriate active land management objectives and policies, in accordance with the government's Town Centre First policy. It should also identify the critical measures and/or actions the Planning Authority will implement, having regard to public funding available under, among others, the Urban Regeneration and Development Fund and Town Centre First funds (e.g. Croí Cónaithe).

While the Office welcomes the approach of the Planning Authority, there is a concern that the zoning of undeveloped lands beyond the existing village centre as Village Centre / Local Shops and Services has the potential to undermine the vitality and vibrancy of the established Rathnew village centre.

In addition, there is an opportunity to improve permeability and ensure that the Wicklow County Campus can positively interact with Rathnew Village Centre, which should be more strongly supported in the draft Local Area Plan.

The lands to the east of Clermont Grove, which extend to circa 2.4 ha have no clear function identified in the Rathnew Village Regeneration Strategy other than to enhance connections with the Wicklow County Campus. It is identified as an opportunity site in the Village Centre Strategy Transport map but there is no supporting detail on the vision for these lands and how or if there is any opportunity to improve access to and from the Wicklow County Campus directly into the village as part of their development. It is also noted that these lands are located outside of the CSO settlement boundary.

In addition, 1.4 ha of lands are zoned which are undeveloped along Charvey, Lane for which Objective WTR47 requires that a masterplan be prepared. The draft Local Area Plan identifies that there are access constraints due to deficiencies of the Charvey Lane – R752 junction.

The Office considers that the inclusion of these lands as Village Centre / Local Shops and Services requires an improved focus and they should only be included where it can be clearly demonstrated that they can support the overall regeneration strategy for the village centre with clearer co-ordination of development and infrastructure delivery provided.

Further, it is considered necessary that it is demonstrated by way of the SCA and/or Infrastructure Assessment as required by Recommendation 1 and 4 that the lands can be serviced over the plan period.

### **Recommendation 5 - Rathnew Village Centre**

Having regard to the vitality, viability and regeneration of Rathnew village, and in particular to:

- RSO 2 of the RSES to promote regeneration by making better use of under-utilised land and buildings within the existing built up urban footprint;
- RPO 4.26 of the RSES to achieve compact growth;

- RPO 8.1 of the RSES to ensure the integration of land use and transport planning; and
- Policy Objectives CPO 4.9 and CPO 5.1 of the County Development Plan to target the reversal of town and village centre decline through sustainable compact growth to deliver sustainable regeneration outcomes and to protect and maintain the viability of town and village centres,

the Planning Authority is required to:

- (i) include Objectives to implement the Rathnew Regeneration Strategy integrated with other objectives of the Draft Wicklow Town - Rathnew Local Area Plan 2025 for village centre development;
- (ii) set out the regeneration aims and principles which demonstrates how the following sites will promote regeneration and revitalisation of Rathnew village:
  - (a) Undeveloped lands located to the east of Clermont Grove; and
  - (b) Undeveloped lands to the south of Charvey Lane.
- (iii) demonstrate by way of a Settlement Capacity Audit and/or an Infrastructure Assessment that the sites at (ii) (a) and (b) above are serviced and/or serviceable within the plan period; a
- (iv) include measurable targets for the reduction of vacancy for the plan period and a strategy for the monitoring of same; and
- (v) include permeability measures on the Transport Strategy map to ensure that the Wicklow County Campus can positively interact with Rathnew village centre.

Where the criteria requested at (i) - (v) of this recommendation cannot be demonstrated the lands identified at (ii) above the land use zoning objectives for the lands identified to the east of Clermont Grove and south of Charvey Lane should be omitted.

## 7. Climate Action

The Office welcomes the key vision of the draft Local Area Plan with healthy place-making, climate change and economic opportunity at the core. Key features of a low

carbon town include land use, movement and transport, energy and natural heritage and inclusive communities.

There is, however, an opportunity for the draft Local Area Plan to include more specific policy measures and actions to give effect to and complement the objectives and actions from the Wicklow CAP which are specific to Wicklow Town – Rathnew and have a strong relationship to planning such as transport and the built environment, for example the inclusion of mode share targets.

### Observation 1 – Integrating Climate Action

Having regard to:

- RPO 3.7 of the RSES;
- the Climate Action and Low Carbon Development Act 2015, as amended, mandatory target to reduce greenhouse gas emissions by 51%; and
- the Wicklow Local Authority Climate Action Plan 2024-2029 (Wicklow CAP),

the Planning Authority is advised to review and revise the draft Wicklow Town - Rathnew Local Area Plan 2025 (the draft Local Area Plan), having regard to the Wicklow CAP to:

- (i) provide for alignment between the draft Local Area Plan and the relevant climate adaptation and mitigation actions through the policy objectives; and
- (ii) include additional and more specific climate action policy objectives which relate to policy measures and actions in respect of transport and the built environment.

## 8. Environmental Assessments

The Office notes that the lands identified as SLO 4 at Bollarney North have been zoned to provide a range of land uses, including Residential, Car Parking, Community / Education and Recreation. There is a concern in respect of the potential environmental impacts of the proposed zonings which are in close proximity (circa 75m) to the Murrough Special Protection Area and the Murrough Special Area of Conservation.

While development within and close to European sites is not precluded, any likely significant effects of the proposed objective would need to be fully assessed and addressed by means of site-specific mitigation measures. The draft Natura Impact Report (NIR), however, includes only high-level mitigation measures.

The Planning Authority should therefore review the mitigation measures set out in the NIR to ensure that the stated conclusion that 'upon the inclusion of suitable mitigation measures, the Draft Plan will not result in any adverse effects to the ecological integrity of any European site' is a complete, precise or definitive finding and conclusion, and that no reasonable scientific doubt remains as to the adverse effects of zoning SLO 4 on the European sites.

### **Recommendation 6 - The Murrough SPA and SAC**

Having regard to the protection of natural heritage and the appropriate assessment of plans, and in particular to:

- RSO 7.16 of the RSES to support the implementation of the Birds and Habitats Directives and ensure alignment with development plans; and
- Policy Objectives CPO 17.4 and CPO 17.6 of the County Development Plan to protect designated ecological sites including Special Areas of Conservation and Special Protection Areas, and to ensure any projects giving rise to adverse effects on the integrity of European sites shall not be permitted;

the Planning Authority is required to:

- (i) review the mitigation measures outlined in the draft Natura Impact Report for the Draft Wicklow Town - Rathnew Local Area Plan 2025; and
- (ii) where it cannot be concluded that there would be no adverse effect on the integrity of any European site omit the proposed zoning objectives for the lands identified as SLO 4.

## 9. Implementation and Monitoring

Section 6.5 of the Local Area Plans, Guidelines for Planning Authorities (2013) (LAP Guidelines) states that planning authorities are encouraged to periodically review the success or otherwise of the implementation of the policies and objectives of a local area plan by effective monitoring systems such as reviewing the progress in securing the objectives of the County Development Plan in accordance with section 15 of the Act.

It is not clearly outlined what implementation and monitoring strategy will be implemented for draft Local Area Plan sets out the implementation and monitoring strategies of the Planning Authority. It is considered that a systematic approach to monitoring would better assist the Planning Authority in implementing the key objectives / actions of the draft Local Area Plan, by identifying lead responsibility, suitable indicators for measuring policy objectives and a timeline for implementation of actions / projects. For example, tackling dereliction and vacancy rates, as detailed above.

Guidance on monitoring and implementation is provided in chapter 10 of the Development Plans Guidelines. Further, the Carlow-Graiguecullen Joint Urban Local Area Plan 2024-2030 and the Newcastle West Local Area Plan 2023-2029 both provide examples of good practice in this area.

### Observation 2 - Monitoring and Implementation

Having regard to section 15(1) and 15(2) of the Planning and Development Act 2000, as amended, the Planning Authority is requested to include a section on what the implementation and monitoring strategy will be and to provide a detailed systematic approach to monitoring the implementation of key objectives and/or actions of the Draft Wicklow Town - Rathnew Local Area Plan 2025.

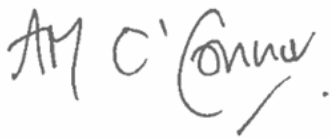
### Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 20 of the Act must summarise these recommendations and the manner in which they will be addressed.

Where your authority decides not to comply with the recommendations of the Office, made to the draft Local Area Plan, please outline the reasons for the decision in the Chief Executive's report.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through [plans@opr.ie](mailto:plans@opr.ie).

Is mise le meas,

A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive, slightly slanted style.

**Anne Marie O'Connor**

Deputy Regulator and Director of Plans Evaluations

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