



3rd October 2023

Administrative Officer,
Planning Section,
Wicklow County Council,
Station Road,
Wicklow Town.

Re: Proposed Variation No. 1 to the Wicklow County Development Plan 2022-2028

A chara,

Thank you for your authority's work in preparing the proposed Variation No. 1 to the Wicklow County Development Plan 2022 – 2028 (the proposed Variation).

The Office wishes to acknowledge the considerable and evident work your authority has put into the preparation of the proposed Variation.

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 proposed Variation under the provisions of sections 31AM(1) and (2) of the *Planning and Development Act 2000*, as amended (the Act) and this submission has been prepared accordingly.

Overview

The proposed Variation proposes to amend the land use zoning objective for a specific site in Rathdrum, from New Residential (RN) to Open Space (OS2), in response to the introduction of the Residential Zoned Land Tax (RZLT).

The Office notes that the proposed zoning amendment (0.81ha) relates to a small portion of the total New Residential (RN) lands zoned within the development plan for Rathdrum (c. 8%).

Having reviewed the proposed Variation against the relevant criteria set out below, the Office is of the view that the proposed zoning amendment does not raise any concerns in relation to consistency with the legislative and policy requirements.

1. Compliance with statutory guidelines

The *Residential Zoned Land Tax – Guidelines for Planning Authorities (2022)* (RZLT Guidelines) are the statutory section 28 guidelines in relation to the RZLT. Section 6 of the RZLT Guidelines sets out guidance on rezonings sought on foot of the RZLT process under the provisions of section 653(l) (a) and (b) of the *Taxes Consolidation Act 1997*, as introduced in the *Finance Act 2021*.

The Office notes that the local authority identified all lands within its functional area that are to be in scope as required by the provisions of the RZLT.

The Office notes that the Strategic Environmental Assessment (SEA) Screening Report states that the proposed Variation would not be likely to result in significant environmental effects. The Office considers that the proposed Variation does not raise any issues in respect of compliance with section 28 guidelines.

2. Core strategy

The *Development Plans, Guidelines for Planning Authorities (2022)* (the Development Plans Guidelines) advise that the impact of any proposed rezoning on the overall strategy for the proper planning and sustainable development of the area including the core strategy and the housing targets for the county/city must be considered.

The core strategy set out in the Wicklow County Development Plan 2022 – 2028 (the Development Plan) includes a housing supply targets of 8,467 homes over the plan period. The Office understands that 10.85 ha land is zoned New Residential (RN) zoned land in the adopted Development Plan.

Having regard to the sufficient supply of zoned land in the Development Plan, the Office is satisfied that the proposed change of the subject site from New Residential (RN) to Open

Space (OS2) could not adversely affect the capacity to meet the housing and population targets for the settlement set out in the core strategy.

3. Compact growth

The Office notes *Circular Letter NRUP 07/2022* refers to compact growth as a key planning principle and as a key planning criteria as part of the assessment of whether the zoning objective should be amended.

The overall delivery of new housing within the built up area of the settlement exceeds approximately 40%, as such the de-zoning of the relevant RZLT site will not have a material impact on Rathdrum achieving compact growth consistent with NPO 3c of the *National Planning Framework*.

The proposed de-zoning would therefore not undermine the capability of the Rathdrum Town Plan 2022 – 2028, to deliver compact growth consistent with the national planning policy objectives.

4. Sequential approach

Section 6.2.3 of the Development Plans Guidelines, sets out specific guidance regarding the sequential approach, and it is a policy and objective of the guidelines that development plans adopt a sequential approach when zoning lands for development.

The Office acknowledges that the RZLT site offers both proximity to the Main Street and potential for infill development and as such provides for compact growth and utilisation of existing infrastructure.

Notwithstanding, no alternative, more peripheral lands are proposed or are necessary for rezoning on foot of this potential amendment, and residential zoned lands located beyond this site are already under development for housing.

The Office concludes that the de-zoning of the subject RZLT site would not undermine the overall approach to sequential development.

Summary

Arising from the foregoing evaluation and assessment of the proposed Variation, the Office concludes that no recommendations or observations are warranted since the proposed

Variation will not undermine the Development Plan in delivering on its core strategy in a compact and a sequential manner.

Your authority is however required to notify this Office within five working days of the making of the Variation, in accordance with section 31AM(6) of the Act.

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 the undersigned or at plans@opr.ie.



Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
