



## Draft Wicklow Rathnew Draft LAP Amendment Stage Submission - Report

Who are you:	Agent
Name:	Cyril McGuire of VC Land Investments Limited
Reference:	DWTRLAP-101104
Submission Made	March 27, 2025 10:11 AM

### Topic

LAP - Proposed Material Amendments No 31 Submission

### Submission

Please refer to the enclosed PDF Submission.

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**File**

Submission to Wicklow-Rathnew LAP - Proposed Material Amendments.pdf, 0.41MB

Planning Department  
Wicklow County Council  
County Buildings  
Whitegates  
Wicklow Town  
Co. Wicklow

Thursday, 27<sup>th</sup> March 2025  
[Submitted via LAP Submission Portal]

Dear Sir/Madam,

**RE: PROPOSED MATERIAL AMENDMENTS TO DRAFT WICKLOW TOWN – RATHNEW LOCAL AREA PLAN 2025: SUBMISSION IN RESPECT OF LANDS AT FRIARS HILL, RATHNEW, CO. WICKLOW.**

Cyril McGuire of VC Land Investments Limited<sup>1</sup> has retained Tom Phillips + Associates, Town Planning Consultants<sup>2</sup>, to make this submission to the proposed Material Amendments to the *Draft Wicklow Town - Rathnew Local Area Plan 2025*, which were published on 3<sup>rd</sup> March 2025. This submission is made before the consultation period closes on 31<sup>st</sup> March 2025.

Our Client is the owner of a site which is located south of the Village Mill Enterprise Park, off Friars Hill, Rathnew, Co. Wicklow. The site is located in the south-west portion of Rathnew, at the edge of the village in an area which is currently evolving to provide new residential development.

This submission follows submissions made on behalf of our Client in respect of the *Wicklow Town – Rathnew Local Area Plan Pre-Draft Public Consultation Issues Papers* and *Draft Wicklow Town - Rathnew Local Area Plan 2025*.

Our Client welcomes the reinstatement of the previous 'Employment' zoning for the majority of the subject site, which is considered to be an appropriate zoning for the lands for reasons outlined in our previous submission. There is also no objection to the zoning of a portion of these lands for 'Natural Areas' (OS2) and for 'Community and Education' (CE) uses. There are, however, very significant concerns regarding the attachment of SLO 14, which mandates the parallel provision of an '*indoor community/sports facility*' and formally seeks to link the occupation of any future permitted '*employment units*' on the substantive land parcel with the full development of the aforementioned facility. In our opinion, this is an extremely onerous requirement and seeks to connect both the planning processes and physical construction of two wholly separate and unrelated land uses. That employment-based uses cannot be occupied until a wholly separate indoor sports/community facility is fully constructed will create significant viability issues for any future employment use of these lands and may render them ultimately undevelopable. In addition to the very significant additional cost associated with the provision of modern indoor sporting/community facilities, the ability

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to occupy and ultimately operate wholly separate employment-related uses becomes contingent on not only the planning process for a separate development, but also its full construction. This requirement will create major uncertainty with regard to planning, cost, phasing and commercial occupation of future development.

SLO 14 also appears to pre-judge the development management stage of the planning process, as the local objective is based on the assumption that permission will be granted for development on both land parcels. This means that if, for reasons not yet apparent, planning permission was to be refused for the proposed sports facility, this would essentially preclude the occupation of any permitted employment use on an indefinite basis. This would serve to effectively undermine the potential to re-develop those lands in a reasonable manner. In our view, SLO 14 is an inappropriate wording and mechanism for attachment to any landholding, as the forward planning/ LAP zoning stage and will adversely affect the ability to progress and deliver potentially important employment uses on the site. In the current market, such units will not be constructed or occupied without a pre-letting agreement (as opposed to being speculatively built) and the existence of this SLO will likely frustrate such agreements from being entered into for commercial reasons. It is also unclear as to who is envisaged to fund, build, operate and manage the required sports/community facility and it could not be anticipated that a landowner would be in a position to construct, operate or manage the operation of such a facility on a private basis.

The proposed amendment identifies a 0.4 ha site to be zoned for 'Community and Education' (CE) purposes. This area of land can, therefore, accommodate a range of uses deemed permissible in principle under the CE zoning provisions, which may include indoor facilities or other related uses. In our opinion, therefore, there is no requirement to formally link the development of these lands with the development of the employment zone. Should an appropriate use of these CE lands be identified in the future either by a third party, the community and/or the Council, the landowner will fully co-operate with all relevant stakeholders to assist in progressing such a proposal. On that basis, we request that proposed SLO 14 be omitted from the proposed amendment as the detailed future use of the CE zoned lands should be determined by the development management process at the appropriate time in a manner that will not preclude the development of employment zoned lands.

Should the Council wish to reinforce the suitability of the CE zoned site for the future development of an indoor sports/community facility, then an SLO can state 'The Council will support the provision of an indoor community/sports facility on the CE zoned land measuring not less than 0.4 ha'. Such wording will safeguard the lands for this specific use until such time as an appropriate proposal can be brought forward for planning consideration in the first instance followed by implementation.

Our Client would support the wording below to be attached to an SLO for the subject site:

***“SLO-14 Ballynabarny***

*This SLO is located in the townland of Ballynabarny and measures c. 3.7ha. The SLO comprises lands zoned ‘Employment’ (E), ‘Community / Education’ (CE) and ‘Natural Areas’ (OS2).*

*Any development proposal shall comply with the County Development Plan, this Local Area Plan and the following:*

- *The Council will support the provision of an indoor community/sports facility on the CE zoned land measuring not less than 0.4ha;*
- *Lands identified as OS2 shall be retained and maintained in a natural condition; no development proposed on foot of this plan shall interfere with river / stream beds, banks and channels and shall maintain a core riparian buffer zone of at least 25m.”*

We trust that the above is satisfactory and look forward to receipt of written acknowledgement of this submission in due course.

Yours sincerely,



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**John Gannon**  
**Director**  
**Tom Phillips + Associates**