



WICKLOW COUNTY DEVELOPMENT PLAN 2022-2028

DIRECTION IN THE MATTER OF SECTION 31

OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Notice is hereby given under Section 31 (7) of the Planning and Development Act 2000 (as amended) that the Minister of State at the Department of the Housing, Local Government and Heritage has issued a **Draft Ministerial Direction** regarding the Wicklow County Development Plan 2022 - 2028 to Wicklow County Council as follows:

"Development Plan" means the Wicklow County Development Plan 2022 – 2028

"Planning Authority" means Wicklow County Council

WHEREAS the powers and duties of the Minister for Housing, Local Government and Heritage under the Planning and Development Act 2000 (as amended) ("the Act"), other than the power to prosecute an offence, have been delegated to the Minister of State at the Department of Housing, Local Government and Heritage pursuant to the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2020 (S.I. 559 of 2020).

WHEREAS the Minister of State at the Department of the Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Act, and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AM(8) of the Act hereby directs as follows:

- (1) *This Direction may be cited as the Planning and Development (Wicklow County Development Plan 2022 - 2028) Direction 2022.*
- (2) *The Planning Authority is hereby directed to take the following steps with regard to the Development Plan:*
 - (a) *Reinstate the following settlement boundaries and zoning objectives to that of the draft Plan:*
 - (i) *Amendment V1 – 11(a) (Kilpedder – Willowgrove), i.e. the settlement boundary reverts to the draft Plan.*
 - (ii) *Amendment V1 – 13 (Johnstown) i.e. the settlement boundary reverts to the draft Plan.*
 - (iii) *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.*
 - (iv) *Amendment V2 – 103 (Carnew) i.e. the settlement boundary reverts to the draft Plan and the subject land reverts to unzoned from RN- New Residential and OS1 Open Space.*
 - (b) *Delete the following zoning objectives from the settlement zoning map for Aughrim:*
 - (i) *R2.5 – New Residential (Low Density)*
 - (ii) *AUG 4*
 - (c) *Delete both Objective CPO7.xx inserted under Amendment V1-31 and associated Map 7.01:*
To provide for a new nursing home/ residential care facility for the elderly at location shown on Map 7.01
 - *Kilmullen, Newcastle (c.2ha)*

STATEMENT OF REASONS

I. Pursuant to section 31(1)(b), section 31(1)(ba)(i) and section 31(1)(c)

The Development Plan as made includes material amendments to the draft Plan, that individually and cumulatively are not consistent with the Core Strategy, national and regional planning policy, and the proper planning and sustainable development of the area, including:

- (a) Land zoned for residential development in the Level 5 settlements of Ashford, Carnew and Aughrim inconsistent with Core Strategy housing supply targets and settlement hierarchy for Wicklow County in the adopted Plan*
- (b) Settlement boundary extensions and land zoned for residential development (including for a nursing home / residential care facility) located in peripheral locations removed from the existing settlement, and in the absence of infrastructure required for such development, inconsistent with the requirements for compact growth in NPO 3c and RPO 3.2, the tiered approach to zoning in NPO 72, the proportionate growth of rural towns in NPO 18(a), and the sequential approach to development having regard to the policy and objective of the Development Plans Guidelines for Planning Authorities (2022) regarding the sequential approach (section 6.2.3).*
- (c) Land zoned for a nursing home / residential care facility in a peripheral and non-sequential location outside of any settlement boundary, and remote from services and amenities, inconsistent with objective CPO 6.32 of the Development Plan in relation to housing for the elderly.*
- (d) Settlement boundary extensions and land zoned for development in locations that would facilitate a pattern of car dependent development inconsistent with objectives to promote sustainable settlement and transportation strategies.*

The development plan as made therefore fails to set out an overall strategy for the proper planning and sustainable development of the area.

II. Pursuant to section 31(1)(a)(i)(II) and section 31(1)(a)(ii)(II)

The Development Plan has not been made in a manner consistent with and has failed to implement the recommendations of the Office of the Planning Regulator under Section 31 AM.

III. Pursuant to section 31(1)(b)

In light of the matters set out at I to II above, the Minister is of the opinion that the Development Plan fails to set out an overall strategy for the proper planning and sustainable development of the area.

IV. Pursuant to section 31(1)(c)

In light of the matters set out at I to III, above, the Development Plan is not in compliance with the requirements of the Act.

A copy of the Draft Direction may be inspected at the following locations from Thursday 03 November 2022 to Wednesday 16 November 2022 inclusive:

- The Council's website www.wicklow.ie (documents are available to view and download)
- County Buildings, Whitegates, Wicklow Town, A67 FW96 (usual opening hours)

SUBMISSIONS / OBSERVATIONS

Written submissions or observations in respect of the Draft Direction may be made **from Thursday 03 November 2022 to Wednesday 16 November 2022 inclusive** and shall be taken into consideration by the Minister before he directs the Planning Authority.

Submissions may be made in one of the following ways:

1. Write to Administrative Officer, Planning Department, Wicklow County Council, County Buildings, Whitegates, Wicklow Town, A67 FW96, **marked 'County Development Plan'**
2. Online through the Council's consultation hub at **www.wicklow.ie/Living/ConsultationHub**
3. Email **planreview@wicklowcoco.ie**

All submissions should include your name and a contact address, a map (where appropriate) and, where relevant, details of any organisation, community group or company etc., which you represent. Please make your submission by one medium only, i.e. hard copy or e-mail.

All submissions will form a part of the statutory Chief Executive's report to be submitted to the Minister and the Office of the Planning Regulator.

Please be advised that all submissions received will be published online in accordance with the requirements of the Planning Act. You should ensure that no vexatious, libelous or confidential information, including confidential information relating to a third party (in respect of which the third party has not, expressly, or impliedly in the circumstances, consented to its disclosure) is included in your submission. The Planning Authority reserves the right to redact any submission or part thereof that does not comply with this requirement. Please be advised that the name of the person(s)/group(s) who made the submission will be published, but personal data will be redacted.

YOU ARE STRONGLY ADVISED TO MAKE YOUR SUBMISSION AS EARLY AS POSSIBLE.

CLOSING DATE FOR SUBMISSIONS: 5:00PM WEDNESDAY 16 NOVEMBER 2022.

LATE SUBMISSIONS WILL NOT BE ACCEPTED.