

# Planning, Development and Environment Strategic Policy Committee

## Minutes of meeting held on 7<sup>th</sup> December 2021 Via Zoom

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### **Present:**

Cllr. Sylvester Bourke, Cllr. Gerry O'Neill, Cllr. Patsy Glennon, Cllr. Shay Cullen, Michael Byrne

### **Apologies:**

Cllr. Edward Timmins, Cllr. Erica Doyle

### **In attendance (WCC):**

Breege Kilkenny, Director of Services; Marc Devereux, Senior Engineer; Fergal Keogh, Senior Engineer; Jackie Carroll, Senior Executive Officer; Sorcha Walsh, Senior Planner; Siobhan O'Brien, Administrative Officer; Michael McNamara, Administrative Officer; Merlin Ovington, Administrative Officer

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### **Item 1            Minutes of meeting of 21<sup>st</sup> October 2021 and Matters Arising**

The minutes were proposed by Cllr. Gerry O'Neill and seconded by Cllr. Shay Cullen.

There were no matters arising.

### **Item 2            Receive Presentation from Codling Wind Park**

Codling Wind Park (Codling) is the proposed offshore wind farm in the Irish Sea, set in an area called Codling Bank, approximately 13-22 kilometres off the County Wicklow coast, between Greystones and Wicklow Town.

It is being developed by Codling Wind Park Ltd. (CWPL), a 50/50 joint venture between Fred. Olsen Renewables and EDF Renewables. Both companies are leading developers, owners and operators of renewable energy assets, with many years of global experience in the renewable energy and offshore wind sector.

The members received a comprehensive presentation on Codling Wind Park with Ciara Gilligan, Heather Hamilton and Graeme Glencorse representing the company.

Codling Wind Park will deliver many benefits, which can be broadly categorised under three headings: Environmental, Economic and Social Benefits. Through the development of the project, the Codling Wind Park partners aim to maximise the benefits and learnings under each of these headings, in order to support the development of the wider offshore wind industry in Ireland.

The Wind Park will be between 13-22 km from shore, will have a maximum of 140 turbines and will have a capacity of 99MW to 1,500MW which will contribute electricity for up to 1.2million homes.

The purpose of the Environmental Impact Assessment (EIA) process is to Identify, assess, mitigate and manage potential environmental impacts associated with construction, operation and decommissioning. A range of surveys is being undertaken including Ecology, Ornithology, Geophysical, Geotechnical, Metocean, Biodiversity, Noise, Archaeology, Transport, Landscape and visual.

The information gathered from the EIA and the surveys will be used in the design of Codling Wind Park.

The purpose of the Offshore Seascape, Landscape and Visual Impact Assessment (SLVIA) is to assess the potential effects of a proposed development on the seascape, coastal landscapes and visual amenity.

This will include identifying and assessing:

- Seascape Character Types;
- Landscape Character Types;
- Protected and Designated Landscapes;
- Visual amenity
- Cumulative Assessment

Regarding consultation, a Scoping Report was submitted in November 2020 for Offshore Assessment and May 2021 for Onshore Assessment and the next stage of consultation will agree the

methodology to be applied to the SLVIA, the scope of the assessment, the extent of the study area, the parameters of the development, the Seascape, landscape and visual receptors scoped in and out of assessment, the viewpoint locations and the scope of the cumulative assessment.

It was noted that establishing the viewpoint locations is a key component as they are used for design purposes and for communicating what the proposed development will look like. Suggested viewpoint locations are:

- R761 at Windgate
- Summit of the Great Sugar Loaf
- Greystones
- Greystones exit from N11
- Kilcoole
- Kilcoole Train Platform
- N11 at Rathmore
- Black Castle at Wicklow town
- Tinakilly Hotel, Rathnew
- N11 at Ballybarney
- Blainroe Golf Club
- South Beach at Brittas Bay
- Barranisky Crossroads
- South Beach, Arklow

Extensive engagement and consultation in three phases has and will continue to take place with phase 1 undertaken in March 2021 and phases 2 and 3 scheduled for 2022.

A brief discussion ensued and the Cathaoirleach thanked the Codling Wind Park representatives for their comprehensive and detailed presentation.

### **Item 3          Planning and Development**

#### **Development Management - Presentation on the Planning and Development (Amendment) (Large Scale Residential Development) Bill 2021**

The members were given a comprehensive overview of the standard planning process, the SHD process & the Planning and Development (Amendment) (Large Scale Residential Development) Act 2021 by Fergal Keogh, Senior Engineer.

The legislation introduces a new planning process, which will replace the Strategic Housing Development (SHD) process, although an overlap will occur until Easter of 2022. The main purpose of the Act is to restore the two-stage planning process, with decision making for Large-scale Residential Development (LRD) type applications returning to the local planning authority in the first instance, with the subsequent right of appeal to An Bord Pleanála (ABP).

The SHD process was introduced primarily to expedite and progress large development applications during the Housing Crisis and applied to developments of 100+ housing units & large student accommodation proposals, etc. The SHD applications were submitted directly to the Board, which had 16 weeks to make a decision. There were many steps in the process which involved applicants engaging with the local authority for pre planning, then applying formally for pre application – the local authority would then send an opinion to ABP, following which a tripartite meeting would be held and an opinion would be issued stating whether it formed a reasonable basis for an application. The application would then be formally lodged with ABP. The local authority presented to the Municipal District members on these applications and referred the concerns and issues raised to ABP along with the Chief Executive's Report. It was noted that there have been judicial reviews of decisions– an example is the Delgany development Judicial Review.

Feedback from the members on the SHD process focussed on the loss of local democracy and the lack of adherence by ABP to Wicklow County Council's Local Development Plans policy, with greater emphasis from ABP on national policy, particularly in relation to the efficient use of zoned land and hence, higher densities. Minimum Densities of 35 + units per hectare were promoted by ABP, which were quite often far in excess of Wicklow's Development Plans and would necessitate development of apartments and duplexes to achieve these densities.

The LRD application will now be required to be made to the Planning Authority where a development of 100 houses or more is proposed, with an Appeal option to An Bord Pleanála. The LRD process, while very similar to the normal planning process, has a series of statutory steps that have to be followed. This new statutory process will mean that the Planning Authority will engage in a more formal pre-planning process, which will now be a 2 stage process and which includes statutory time limits.

It was noted that the new process will have serious resource implications for the Planning Directorate, with applications already increasing by >30% over the last few years. The members asked that this matter be raised with the Chief Executive. It was noted that an additional post of Executive Planner had been sanctioned.

A general discussion ensued, with the members commenting on the lack of regard to their concerns in the SHD process and welcoming the return of this process to the Planning Authority.

### **Forward Planning - Update on Co. Development Plan 2022-2027**

Sorcha Walsh, Senior Planner gave the members an update on the status of the draft County Development Plan 2022-2027. The consultation period ended on 30<sup>th</sup> of August 2021. Over 300 submissions were received which have been reviewed. The Chief Executive will recommend amendments to the draft plan on foot of the submissions from the public and the prescribed authorities.

The OPR has recommended that some zonings should be removed and the Members were reminded that when making amendments that there was the potential for them to be questioned by the OPR upon their review of the draft plan.

Workshops will be held in the Municipal Districts for members in mid to end January with the final draft being brought back to full Council in March and public display of any material amendments taking place in March/April.

It was noted that there are resource issues also in Forward Planning with a high turnover of staff and difficulty in filling positions. The Director of Services, Breege Kilkenny is taking a seat on the LGMA committee which is examining Planning resources nationally.

#### **Item 4 Update on Co Wicklow Heritage Plan and Biodiversity Actions**

The members received a presentation from Deirdre Burns, Heritage Officer on the Co Wicklow Heritage Plan and Biodiversity Actions.

The Heritage Office co-ordinates an annual Heritage & Biodiversity programme overseen by Wicklow Heritage Forum which meets 4 times per year. Funding is drawn down under the following:

- County Heritage Plan Fund – The Heritage Council
- National Biodiversity Action Plan Fund – NPWS, Department of Housing, Local Government and Heritage
- Community Monuments Fund – National Monuments Service, DHLGH
- Built Heritage Schemes: BHIS & HSF (on behalf of Planning)
- Other - Creative Ireland/ Healthy Ireland

The members were advised of the wealth of projects being undertaken, including the Glendalough Community Archaeology project, the Swift Champions initiative which is being delivered in 36 individual locations with 72 boxes, the Kilbride Mausoleum and Graveyard Conservation Plan and Interpretative signage at Brittas Bay.

‘Our Wicklow Heritage’ is an initiative to connect people and place, promoting heritage awareness and organising training and resources.

Biodiversity actions are funded by the Council and NPWS and include Brittas Bay Monitoring and Conservation and the Conservation audit of Kilmacanogue Marsh,

Community Monument Fund - Notification was received from the Department of Housing, Local Government and Heritage of a total funding of €65,000 for 7 Wicklow archaeology projects under the Community Monument Fund for 2021. This fund supports archaeological heritage and is a key part of the Dept.'s Climate Action strategy.

- Baltinglass Hillforts, an assessment of archaeological significance;
- Whitefield Graveyard access improvements;
- Wicklow Town Community Archaeology Initiative;
- *Dunganstown Castle conservation advice* \*\*PRIVATELY OWNED
- Kilbride archaeological investigations,
- Arklow Castle conservation report
- Conservation Management Plans for historic graveyards (Ballymacroghue , Mullinacuffe and Whitefield).

Built Heritage Fund - A total of €72,000 was allocated under the Built Heritage Fund in 2021, detailed below:

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|--|--------------|
| • Ballyarthur House, Ballyarthur, Arklow         | • €8,000.00  |
| • 4 Royal Marine Terrace, Bray                   | • €15,000.00 |
| • The Game Keeper's Lodge, Coolattin, Shillelagh | • €8,500.00  |
| • Whitfield Hse, Church Rd, Greystones           | • €13,720.00 |
| • 1 Claremount Tce, Meath Road, Bray             | • €11,350.00 |
| • St. Kevins Church of Ireland, Hollywood        | • €2,500.00  |
| • Neptune House, Strand Road, Bray               | • €5,000.00  |
| • Killarney House, Killarney Road, Bray          | • €7,930.00  |

The 2022 scheme is now advertised and open for application with a closing date of 28<sup>th</sup> January.

The Community Monument Fund 2022 was also advertised with a closing date of 15<sup>th</sup> February 2022.

Local Biodiversity Action Fund 2022 - the Minister of State for Heritage and Electoral Reform  
Malcolm Noonan announced the Local Biodiversity Action Fund will receive funding of €1.5 million in 2022 – a 300% increase since 2019. The fund assists local authorities to implement the National Biodiversity Action Plan at a local level and is administered by the Heritage Officer.

The Cathaoirleach and the members welcomed the presentation and commented on the depth and breadth of the work undertaken by the Heritage Officer. Various projects were then discussed by the members.

It was noted that the Department had advised that there will be funding becoming available for the post of Biodiversity Officer and the Director of Services, Breege Kilkenny advised the members that she had contacted the Department in this regard to seek sanction for an officer for Wicklow.

#### **Item 5 Any Other Business**

**Rotation of Cathaoirligh** – in accordance with the decision taken at the AGM on the 7<sup>th</sup> June 2019, the Cathaoirleach role is to be rotated after 2.5 years. The members and the staff joined in thanks Cllr. Sylvester Bourke for the exemplary manner in which he took on the role of Cathaoirleach. The outgoing Cathaoirleach thanked everybody for their kind words and advised that he had enjoyed the participation and the work done in that time. He thanked the members and staff for their commitment and noted that Cllr. Edward Timmins would be an excellent Cathaoirleach.

There was no further business.

**Signed:**

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**Cathaoirleach**

**Dated:**

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