



Submission

in respect of the



**DRAFT WICKLOW COUNTY DEVELOPMENT PLAN
2021-2027**

on behalf of: -

Tom Redmond and Paschal Bermingham

30th August 2021

1.0 Introduction

This submission has been prepared by Joe Bonner Town Planning Consultant, The Airport Hub, Furry Park, Old Swords Road, Santry, Dublin 9, D09 WY06 and is submitted on behalf of Tom Redmond, Redmond Construction, Unit 4B, Ballyloughan Business Park, Gorey, Co Wexford, Y25 K7M2 and Paschal Bermingham, [REDACTED] in respect of the Draft Wicklow County Development Plan 2021-2027 and requests that lands identified in the submission are incorporated into the Newcastle settlement boundary and that the lands are zoned for Secondary Development / residential purposes.

2.0 Location of landholding

The submission is seeking the zoning of an area of land extending to 4.83ha in the townland of Newcastle Middle, Newcastle, Co Wicklow, that abuts the proposed southern and south-western boundary of Newcastle as per Map No 1 'Newcastle Town Plan' that forms part of Volume 2 Part 3 'Small Towns' in the Draft Wicklow County Development Plan 2021-2027. The landholding subject to the submission is outlined in green in image 2.1 below, which is an extract from said map and shows that the lands are contiguous to the existing built up footprint of Newcastle.

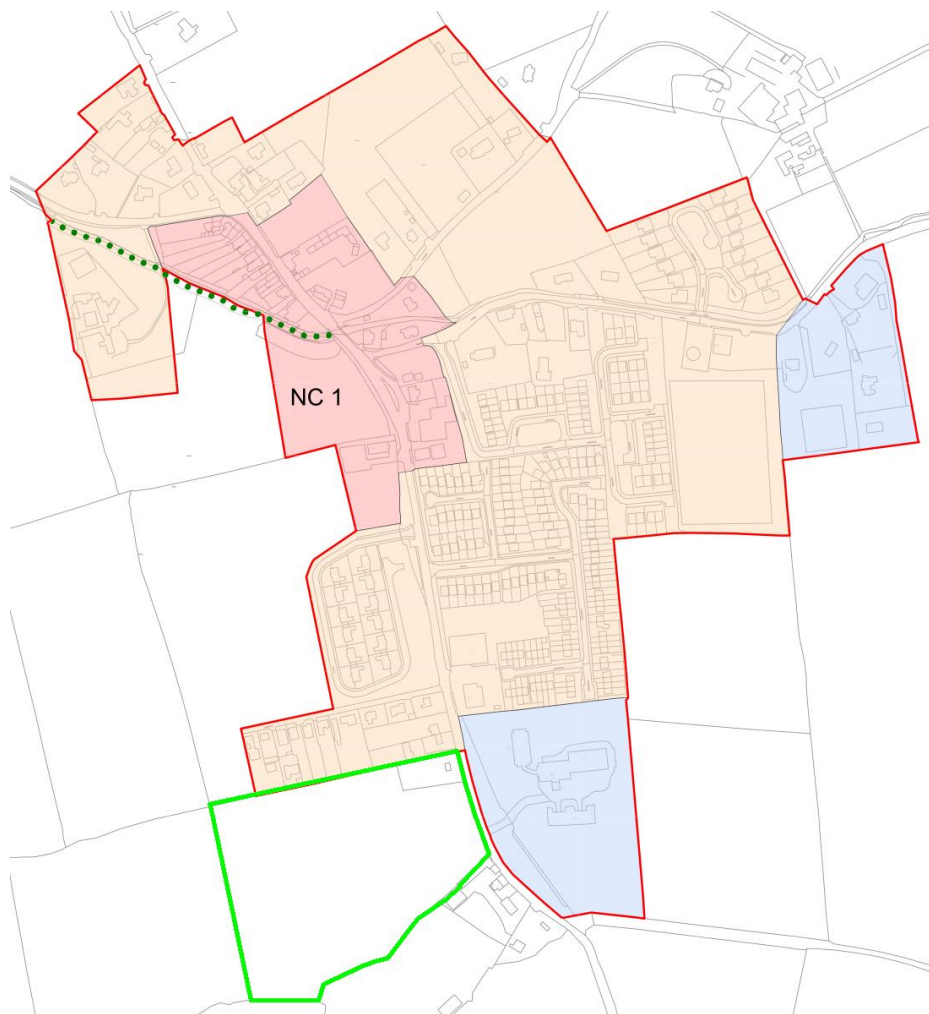


Image 2.1 Location of landholding from Draft Newcastle Settlement Boundary

The landholding is also shown in image 2.2 which is an extract from www.landdirect.ie and adjoins a series of houses at Oaklawn View to the immediate north and is opposite to the Watchtower House. A farmhouse and a complex of agricultural structures are located adjacent to the south-eastern corner of the landholding's road frontage, which extends for c110m along its eastern boundary.

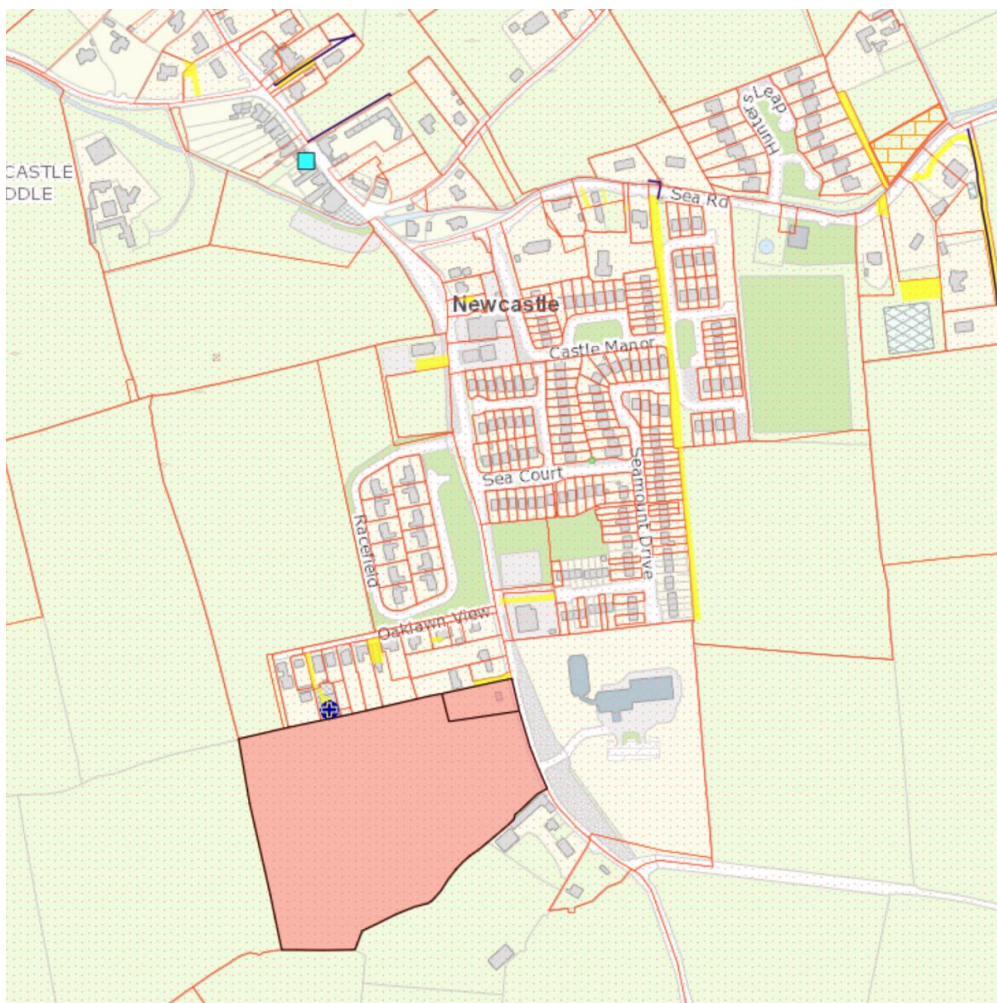


Image 2.2

Site Location Map from www.landdirect.ie

3.0 Newcastle in the 2016-2022 County Development Plan

As stated above, at present, the landholding is located adjacent to but just outside of the southern edge of the Newcastle Settlement boundary, which is significantly greater in extent than the proposed settlement boundary in the draft plan. The lands within the current boundary are zoned for Primary, Secondary and Tertiary development, as per image 3.1 below, which also shows the location of the landholding outlined in green. Neither boundary is consistent with what the CSO defines as the settlement boundary (see image 3.2).

Newcastle is a 'Level 6 Rural Town' in the 2016-2022 Wicklow County Development Plan along with Avoca, Donard, Kilmacanogue, Roundwood and Shillelagh and the Plan states under the heading of 'Population and Growth Targets' that *'These towns have a population range from 400 - 800 people (2011) and targeted to*

increase to 600-1200 people by 2028. The exception is Donard which has a 2011 population of 179, targeted to grow to 300 by 2028’.

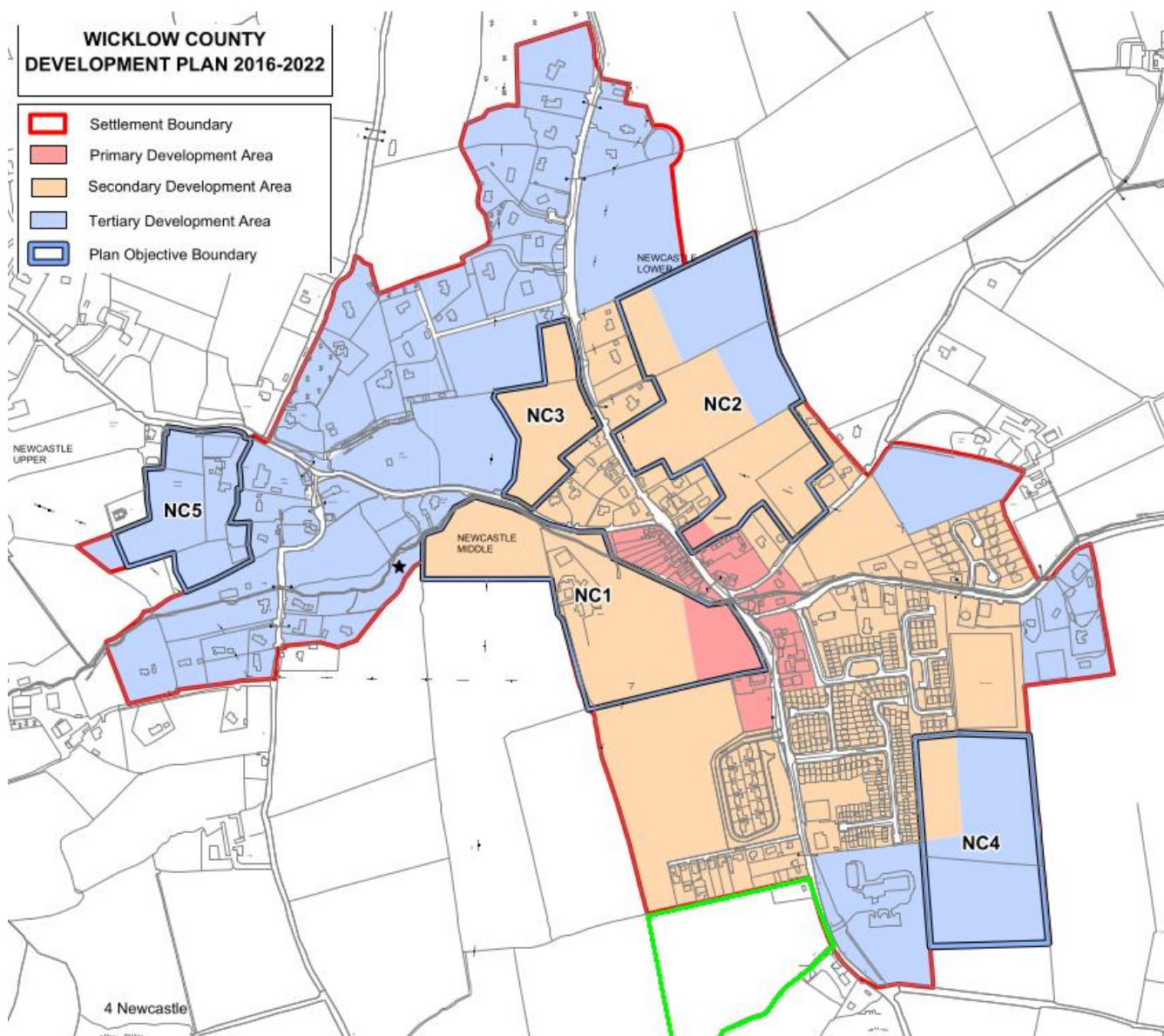


Image 3.1 Landholding in context of existing Wicklow Development Plan

3.1 Population and growth in Newcastle in the 2016-2022 County Development Plan

Table 2.4 of the Core Strategy sets out the existing population and projections for the settlements in the county including Newcastle and in 2011 the population stood at 817 persons, at which is higher than the 400-800 population range referred to in the 2016 Plan.

Table 2.4 Population targets for County Wicklow 2022, 2025, 2028

Designation	Town	2011	2022	2025	2028
Rural Town	Newcastle	817	1,065	1,132	1,200

According to the SAPS (Small Area Population Statistics) maps on www.cso.ie, in Census 2016 the population of Newcastle had increased to 924 persons within the settlement boundary shown in image 5.1 below. This

represents an increase of 107 from Census 2011 which is a 5-year growth of 13.1%. In comparison, the countywide population increased from 136,640 in 2011 to 142,425 in 2016, an increase of just 4.23%. This demonstrates that Newcastle has outperformed the County growth by a factor of 3.1 in the intercensal period.

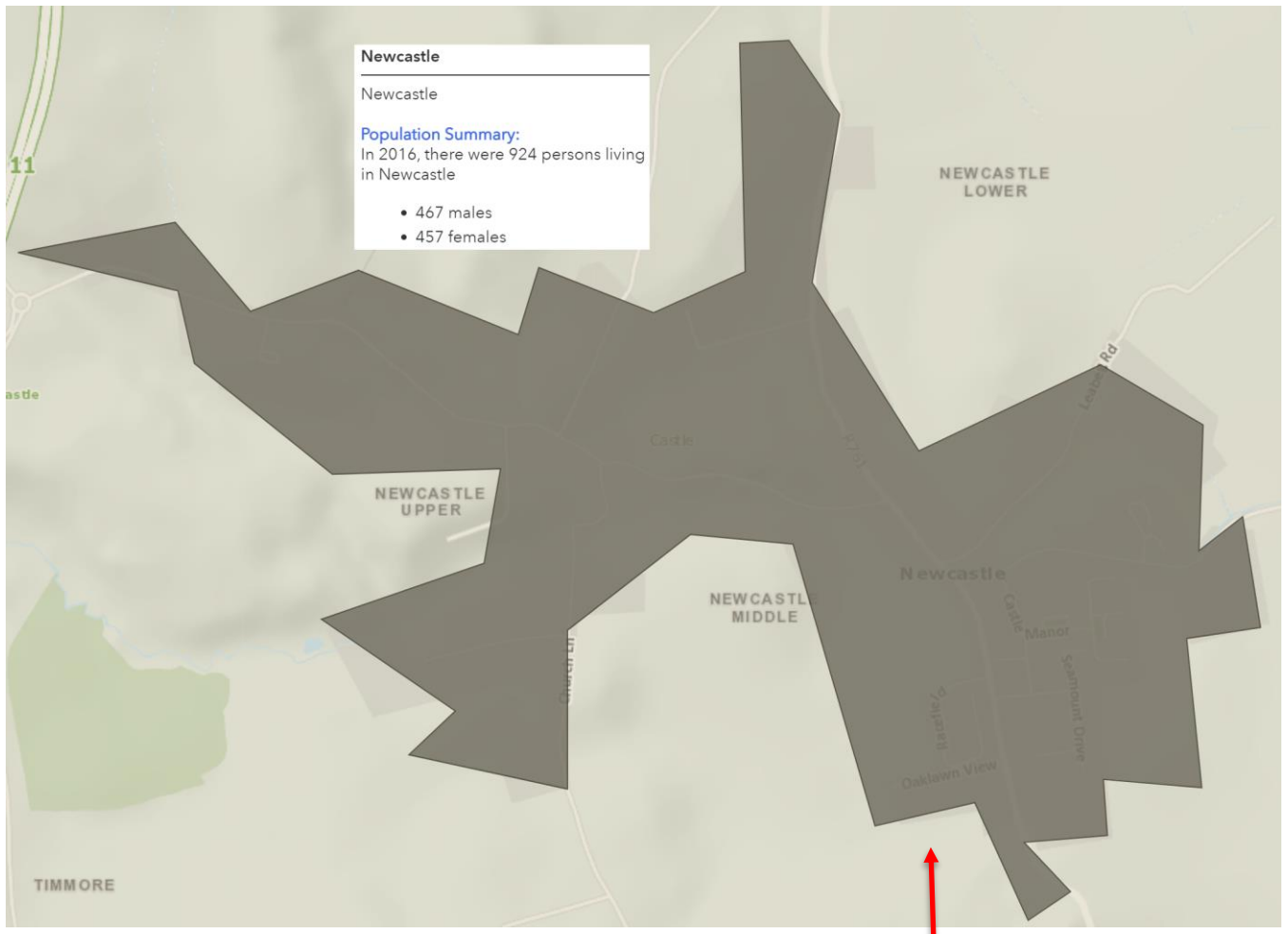


Image 3.2 Settlement boundary of Newcastle in 2016 Census (lands indicated above)

The Plan also includes a breakdown of housing distribution for the level 6 settlements over the 6 year plan period and of the 2.26% of the county allocation allocated to Level 6, Newcastle got 27.4% or 194 houses out of a total of 707 new houses. Newcastle’s housing allocation averaged 11.4 units per annum over 17 years.

Table 2.7 County Wicklow housing growth distribution 2022, 2028

	2011 Existing Housing Stock	2022 Target Housing Stock	2028 Target Housing Stock	Target Housing Stock Growth 2011-2028	% of total Housing Stock Growth 2011-2028
Avoca	282	322	380	98	0.31%
Donard	92	99	127	35	0.11%
Kilmacanogue	277	345	401	124	0.40%
Newcastle	313	410	507	194	0.62%
Roundwood	326	405	507	181	0.58%
Shillelagh	200	220	275	75	0.24%

4.0 Population and Housing allocation in Draft Wicklow Development Plan 2021-2027

Newcastle remains a Level 6 settlement in the Draft County Development Plan along with the same five towns of Avoca, Donard, Kilmacanogue, Roundwood and Shillelagh as in the current Development Plan and the housing and population projections for the county have been aggregated together for the five settlement as they have been in all levels of the hierarchy. An extract from Table 3.6 of the Draft Plan shows that only 2% of the population has been allocated to level 6 settlements, a drop of 0.26% in percentage terms from 2016.

Table 3.6 Wicklow Settlement / Aggregate Settlement Population Targets 2016-2031

Level	Settlement	Population 2016	Population target 2031	% of total County growth to 2031 by tier	
6	Avoca	3,835	4,345	SMALL TOWNS TYPE 2	2%
	Donard				
	Kilmacanogue				
	Newcastle				
	Roundwood				
	Shillelagh				

The population figures are also broken down into housing allocations for the same settlements and Table 3.7 provides that only 218 units are allocated to the six settlements over a 15-year period up to 2031, which is a significant drop for the 2016-2022 plan, and it tells us that at the time this table was prepared (March 2021) that 46 of the 218 units were already completed and only 172 are available over a 10-year period up to 2031.

Table 3.8 breaks this down further into three time periods with only 101 units available over the 5 years to 2026, which covers most of the life of the Development Plan that is under preparation.

Table 3.8 Wicklow Settlement / Aggregate Settlement Housing Targets 2026, 2028, 2031

Level	Settlement	Housing Stock 2016	Further Housing Unit Growth up to 2026	Housing Unit Growth up to 2028	Housing Unit Growth up to 2031
6	Avoca	1,534	101	129	172
	Donard				
	Kilmacanogue				
	Newcastle				
	Roundwood				
	Shillelagh				

Following Table 3.8, the plan goes on to state

In order to ensure that adequate services are delivered in tandem with new housing, service delivery agencies shall have regard to both the future housing growth targets set out in Table 3.8 above, and the housing delivery already completed and underway in the County since 2016, as well as permitted further housing development as yet to commence, as shown on Table 3.9 to follow.

Table 3.9 inform us that as of 31st March 2021 that of the 101 houses allocated to the six level 6 towns up to 2026 and the 129 units allocated up to 2028, which covers the entire life of the new Plan, that a total of 139 houses are either under construction or have the benefit of planning permission. This effectively means that if Wicklow County Council is to administer the plan as it is written that not a single new house can be permitted in any of the Six Level 6 towns during the life the new Development Plan.

Table 3.9 Housing development completed, underway and permitted in Co. Wicklow

Level	Settlement	Housing Units completed post 2016	Units under construction⁷	Extant permission⁸
6	Avoca	46	30	109
	Donard			
	Kilmacanogue			
	Newcastle			
	Roundwood			
	Shillelagh			

7 - As of 31 March 2021

8 - As of 31 March 2021, granted but uncommenced

This is not how planning should work and it is considered that such policies will further add to the housing shortage and artificial house price rises in the county over the next few years.

Documents such as the 'Housing Supply Target Methodology for Development Planning' may be well intentioned from a desk-based point of view, but when the outcomes of the allocation are set out on the ground there is little room for Planning Authorities to allocate land for development purposes and land hoarding and non-development ensue.

The rigid population allocations in the NPF and RSES documents have taken away the ability of local authorities throughout the country to plan properly over long-term horizons as anything that is done that doesn't fit in with the mathematical formula set out in the more strategic levels of the national planning hierarchy means that the Office of the Planning Regulator will make sure that any land deemed surplus will have to be de-zoned. This is considered to be a very short termism and poor form of forward planning and goes far beyond the level of control that was envisaged in the Mahon Tribunal.

Nevertheless, this public consultation period represents the only opportunity that landowners have to seek the zoning of land via the Development Plan making process at a stage when everything has already been decided and public consultation is a mere box ticking exercise in public relations, that is outside the control of the planning officials and elected members making the plan.

5.0 Draft Development Plan Guidelines for Planning Authorities (August 2021)

Following from the rigidity of Housing and Population Allocations set out in the higher order national and Regional plans (historically the CSO have underestimated population growth and as recently as April 2016 underestimated the national population by c100,000 in August 2021), the Government published 'Draft Guidelines for Public Consultation' titled 'Development Plans – Guidelines for Planning Authorities'.

It appears that the rigidity of the current planning by numbers system is being noticed at the highest administrative levels and that an effort has been made to rectify this wherein at Section 1.6 '*Planning from an evidence base and monitoring the outcomes*' it states that: -

The process of preparing a county or city development plan must be informed by local experience of planning over time. This means that the current plan-making exercise needs to be realistically informed by the delivery and outcome of previous plans and planning objectives for the area.

This is important in the context of Newcastle as we will demonstrate later.

Chapter 4 addresses 'Core Strategy' and Section 4.1 states that: -

the preparation of the core strategy of the development plan is one of the most important elements of the plan making process

It follows on to state that the key elements of the Core Strategy are therefore to: -

2 Provide detailed analysis of existing and proposed land use zonings, with particular focus on residential development.

Section 4.4 'The core strategy zoning for residential use' states that: -

In order to give effect to projected population and housing supply targets for the development plan period, the core strategy must provide detailed and separate assessments of land already zoned and land proposed to be zoned for residential development.

Section 4.4.1 'Land/Sites Already Zoned' continues on by stating: -

The development plan review process is an opportunity to take stock of land already zoned for residential purposes or a mix of residential and other uses. This must be set out in the plan core strategy. It is critical to note that Section 10(8) of the Planning Act makes it clear that there is no presumption in law that land zoned for any purpose in a development plan shall remain so zoned in any subsequent development plan.

Existing grants of permission must also be taken into consideration.

Section 4.4.1 continues by stating: -

Should it be the case that there is a surplus of well-located zoned and fully serviced land to meet population and housing supply targets already zoned for development in any local authority area when reviewing a development plan, it is recommended that a phased approach be taken to prioritize and rank the preferred sequence of development of such sites.

No such ranking has been carried out by Wicklow County Council meaning that there is no surplus of land zoned or identified in Newcastle.

The concluding paragraph of 4.4.1 states that: -

However, in cases where land is zoned and has remained undeveloped and unserviced through one or more development plans cycles, with no prospect of being serviced within the six year life of the development plan that is under preparation, alternative approaches must be considered: - (i) alternative zoning objectives or (ii) discontinuing the objective.

The Draft Guidelines note that the zoning of land should be sequential and this submission has taken that factor into account.

Section 4.4.3 states that: -

...on a settlement basis, the precise extent to which zoned lands and sites in excess of that required to match the agreed housing supply target are provided, is to be determined by the planning authority. Such proposals will be assessed and evaluated by the Office of the Planning Regulator in accordance with these Guidelines.

The above extracts confirm that if land is laying idle and undeveloped in a settlement for a prolonged period of time then the land should be considered for being de-zoned.

6.0 Available zoned lands within proposed Newcastle settlement boundary

If you look quickly and crudely at the 2016 settlement map and the proposed draft zoning plan map of Newcastle, it will seem counterintuitive to be zoning lands that are outside of either the existing or the proposed settlement boundaries. However, it is also clear from a look at the tertiary zone lands in the existing development plan that the significant majority of that land was already developed and occupied by one off houses, located in close proximity to each other and this land was never really going to be available for meaningful development purposes, notwithstanding the fact that it was located inside a defined settlement boundary.

The de-zoning of the tertiary land is considered to be immaterial and is really only an exercise carried out to satisfy the new mathematical planning system. Image 6.1 below shows then only lands within Newcastle that

are available for development including two sites where no applications have been submitted (1 and 2) and a third (site 3) which is subject to a grant of permission from Wicklow County Council for 22 residential units under planning reg. ref. 20/298, that is subject to an appeal at present because of flooding concerns expressed by the appellants. The site of Mr Redmond and Mr Bermingham's submission is also outlined in green in image 6.1.

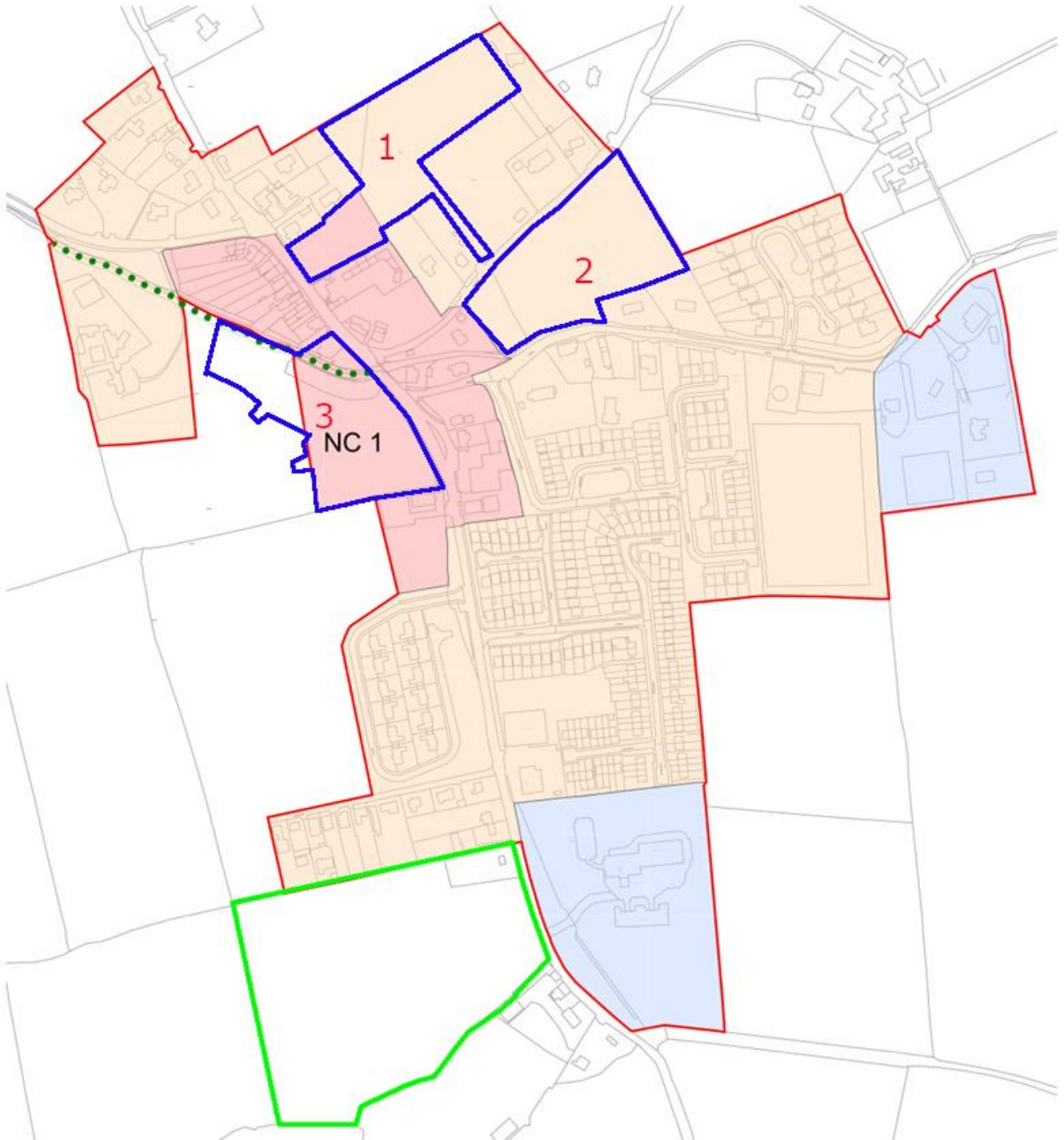


Image 6.1 Lands identified as being available for development in the Draft CDP

6.2 Flooding Maps

Following from the reference to an appeal regarding flooding outlined above, Image 6.2 below shows flood zones A and B in Newcastle and it would appear as if some of the land deemed suitable for development is in danger of flooding and with projections of increase in flooding in the future, which is supported by ever more frequent flooding events around the country and western Europe, the actual availability of this land for housing needs to be considered further to the point where any lands on Flood Zone A or B should not be considered as suitable for housing.



Image 6.2 Floods Zone A and B from Draft County Development Plan maps www.wicklow.ie

7.0 Old Mass Path (Newcastle Heritage Walk)

One of the amenities of the village is the old mass path also known as the Newcastle Heritage Walk that runs along the southern boundary of the landholding and if the lands were zoned and developed, Messrs Redmond and Bermingham would facilitate the upgrade of the old mass path including providing drainage, surface stone and livestock fencing to enhance the experience of the walkers on the path which is shown in image 7.1 below.



Image 7.1 Old Mass Path runs through the southern edge of the landholding

8.0 Submission

It is acknowledged that as a result of the new hierarchical method of planning, Planning Authorities are no longer fully in control of the forward planning of their settlements and they must comply with artificially low population projections and assumptions set out in the National Planning Framework and the RSES for their particular regions.

Wicklow County Council does however maintain some control over the land that is zoned in Newcastle and other settlements and considering that two of the three areas of land that have remained zoned in the Draft

Development Plan have been zoned for a substantial period of time and have not been the subject to an application for permission it is unlikely that they will deliver any housing in the near future, and whilst it is acknowledged that a sequential approach must be taken, that is a paper based and theoretical exercise that has not yielded any results in respect of the unused lands to date.

The third potential area, which is zoned neighbourhood centre, is subject to an appeal and may or may not be granted permission on account of flood risk issues on part of the site. There are plenty of examples of flooded housing development around the country that would not have been identified as flood risks before houses were built thereon, yet still flooded and this too must be a consideration of the Planning Authority. Without substantial investment in flood defences flooding will remain with Skibbereen in Cork being a good example of a place which previously experienced substantial flooding in the town centre and no-longer does due to the significant flood relief scheme works that were carried out. The only problem for Skibbereen is that the water does not go away and the flood defences have only moved the flooding problems to other areas on the edge of the town.

The solution to address failure to develop lands that are deemed suitable for development in Development Plans is provided for in Section 4.4.3 of the 'Draft Development Plan Guidelines for Planning Authorities (August 2021)' where it states that: -

4.4.3 Ensuring Sufficient Provision of Housing Lands/Sites

In providing housing sites for development within settlements, it may be necessary to zone more serviced land and sites for residential (or a mixture of residential and other uses), than would equate to meeting precisely the projected housing demand for that settlement. This approach recognises that a degree of choice in development sites to be provided locally is desirable to avoid restricting the supply of new housing development through inactivity on a particular landholding or site.

In making provision for housing within settlements in the core strategy of a development plan, in certain instances a planning authority may therefore provide zoned residential sites in addition to those required to meet the settlement housing supply target. This means that a planning authority, after identifying the site/land requirements to meet the housing supply target for that settlement, may also identify additional sites/lands to ensure sufficient choice for development potential is safeguarded.

Section 4.4.3 goes on to state that: -

Where the planning authority considers it necessary to employ this mechanism for 'Additional Provision' of residential lands in a particular settlement, it must be clearly set out in the core strategy.

As per the draft Guidelines, the new County Development Plan can facilitate the zoning of between 20% and 25% of additional land over and above the need identified in the plan and Newcastle is considered to be an

appropriate example of a case of a settlement where additional land needs to be zoned to facilitate not just hypothetical choice, but the actual delivery of badly needed homes.

Finally the draft guidelines, state that: -

Accordingly, on a settlement basis, the precise extent to which zoned lands and sites in excess of that required to match the agreed housing supply target are provided, is to be determined by the planning authority. Such proposals will be assessed and evaluated by the Office of the Planning Regulator in accordance with these Guidelines.

The Planning Authority must plan as it sees appropriate and cannot be afraid what the Office of the Planning Regulator may say in response. If something can be justified, as it can in the case of Newcastle, due to a lack of development on the lands identified as being suitable for housing, then there is no reason why other adjacent lands such as those in the ownership of Mr Bermingham and Mr Redmond, that would be developed, should not be zoned for residential development purposes.

Ticking a box and satisfying the requirements of the Planning Regulator, the NPF and the RSES will not deliver homes for people to live in and instead will artificially maintain higher house prices, which may be the ultimate objective of the government and officials.

Tom Redmond, as one of the two persons making this submission has a proven track record as a builder in Wicklow and Wexford over many years, of delivering high quality and affordable houses and is not into speculation, getting and hoarding or selling off sites with planning permission. A grant of permission on this lands will translate into houses on the ground and much needed homes for families to live in.

8.1 Why these lands

- The lands are adjacent to the built up envelope of Newcastle Village and are contiguous to the existing and proposed settlement boundary
- The lands are easily serviceable and will be development if zoned
- Other lands have been zoned for over several plan periods with no evidence of a prospect of being developed or being subject to applications for permission
- The lands are not in a flood zone or close to one, unlike other lands proposed to be zoned for Secondary Development / residential use
- The choice of land available for development in the village is inadequate to provide choice
- The Draft Development Plan Guidelines permits additional lands to be zoned and this opportunity should be availed of to include the zoning of the subject lands

It is requested that the draft County Development Plan is amended to include the zoning of the subject lands as outlined in green in image 8.1 below, for Secondary Development / residential purposes.

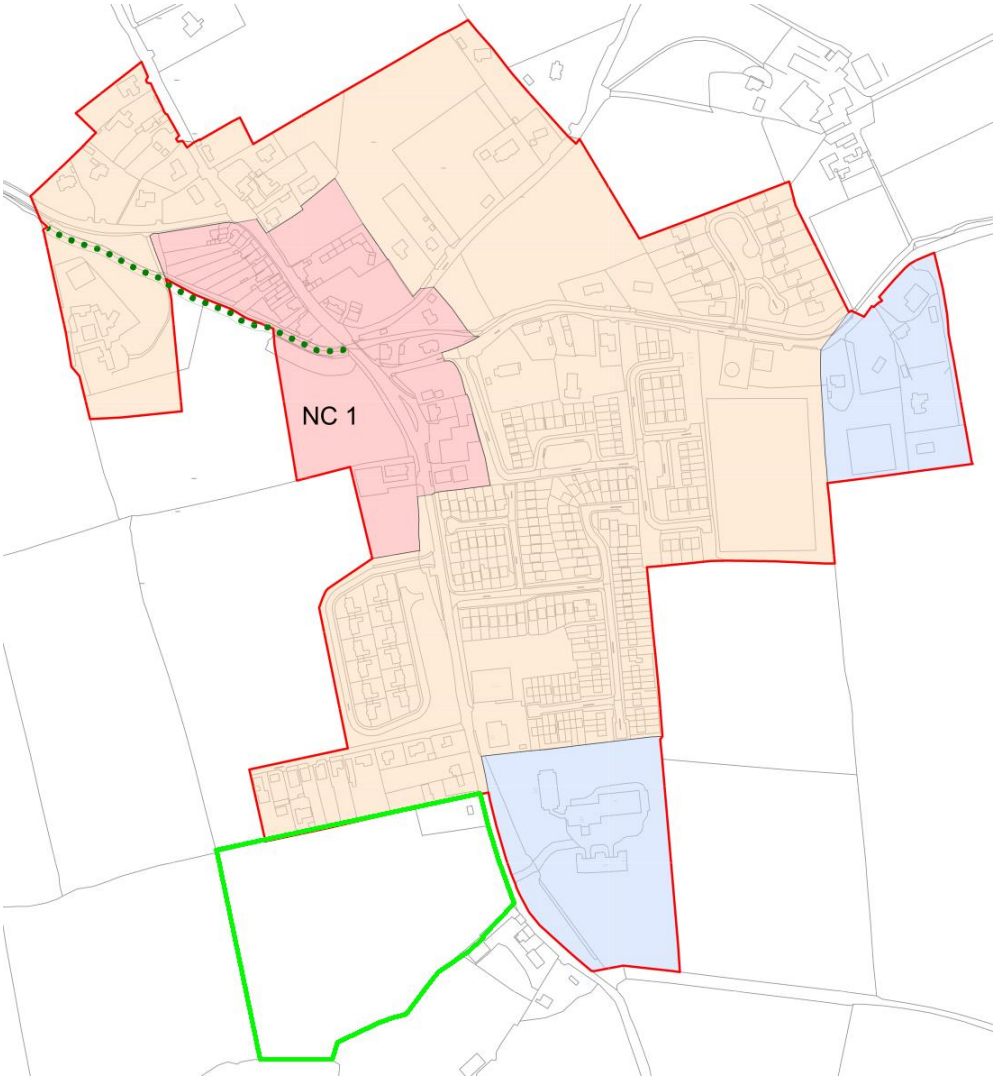


Image 8.1 **Location of landholding seeking to be zoned outline in green**