



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

30th August 2021

Forward Planning,
Wicklow County Council,
Station Road,
Wicklow Town,
A67 FW96.

Re: Draft Wicklow County Development Plan 2021-2027

A chara,

Thank you for your authority's work in preparing the draft Wicklow County Development Plan 2021-2027 (the draft Plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable work your authority has undertaken in the preparation of the draft Plan against the backdrop of an evolving national and regional planning policy and regulatory context. In particular, the inclusion of Strategic County Outcomes in the draft Plan which are informed by the NPF, the RSES and key issues arising in submissions from members of the public is commended and this approach assists in demonstrating consistency with the national and regional policy frameworks in a clear manner.

Subsequent to the publication of the draft Plan you will also have been notified of the publication for consultation of the draft *Development Plans Guidelines for Planning Authorities* by the Department of Housing, Local Government and Planning (August 2021) which will also provide clarity and assistance to planning authorities in the completion of development plans, notwithstanding that the Guidelines are in draft form.



As your authority is aware, 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 draft Plan 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.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

Overview

The draft Plan is being prepared at a crucial time following the preparation of the National Planning Framework (NPF) and the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (RSES), which seek to promote the rebalancing of regional development in a sustainable manner. The draft Plan has proactively embraced many of the challenges and opportunities identified in the NPF and the RSES including for the Dublin Metropolitan Area Strategic Plan (MASP) by directing future housing and economic growth to the MASP, key towns and larger settlements with strong policy commitments to compact growth, regeneration and economic development.



In particular the plan-led approach to the key development areas within the MASP, which includes Bray and Greystones, demonstrates the planning authority's commitment to the Regional Policy Objectives (RPOs) and guiding principles for growth of the Dublin Metropolitan Area which are set out for the MASP in the RSES.

The Office further commends the planning authority for the approach to align with the key principles in the RSES which establishes Healthy Place making, Climate Change and Economic Opportunity as over-arching cross cutting themes that inform and shape all aspects of the Plan.

The Office has, however, identified a number of areas which require further consideration in order to more fully align the development framework for the county within the current national and regional policy context. In particular, the population and housing targets in the draft Plan require review to ensure a greater level of consistency with the *Housing Supply Target Methodology for Development Planning, Guidelines for Planning Authorities (2020)* and a more sustainable level of growth for Newtownmountkennedy and Rathdrum consistent with National Policy Objective (NPO 9).

The settlement hierarchy requires review in relation to the number of tiers and the designation afforded to some small rural nodes or clusters which includes the approach of providing settlement boundaries around areas of ribbon development that are removed from services.

In respect of economic development, the Office has concerns regarding the policy support for out-of-centre retail development in Baltinglass and Rathdrum, and a number of the employment zonings along the N11 corridor in terms of their consistency with the *Retail Planning Guidelines for Planning Authorities (2012)* and the *Spatial Planning and National Roads Guidelines for Planning Authorities (2012)* respectively.

The planning authority will also be aware that the Office's evaluation of the plan is required under section 31AM(2)(a) to address, in particular, matters within the scope of section 10(2)(n) of the Act in relation to climate change. The definition of appropriate settlement boundaries, the zoning of lands for specific uses (section

10(2)(a) of the Act), and the establishment of guiding policies for smaller towns and settlements are vital tools available to the planning authority in promoting effective integration of land use and transportation policies and addressing the requirements of section 10(2)(n).

It is within this context the submission below sets out 18 recommendations and 9 observations under the following 10 themes:

Key theme	Recommendation	Observation
Core strategy and settlement strategy	1, 2, 3, 4, 5, 6, 7, 8 and 9	1 and 2
Compact growth, regeneration and approach to land use zoning		3, 4 and 5
Rural housing and rural regeneration	10 and 11	
Specialised Housing Requirements	12	
Economic development and employment (including retail)	13 and 14	6
Sustainable transport and accessibility	15 and 16	
Climate action and renewable energy	17	7, 8 and 9
Flood risk management	18	
Environment, heritage and amenities		
General and procedural matters		

1. Core Strategy and Settlement Strategy

1.1 Housing and Population Targets

The Office considers that the total County population projections in Table 3.1 (Population Targets Co. Wicklow 2026, 2031) of the Core Strategy are generally consistent with the population prescribed for the County in the RSES and the NPF,

as adjusted according to the transitional arrangements allowed for in the NPF Implementation Roadmap for headroom and NPO 68 of the NPF.

Notwithstanding, Table 3.1 and most of the tables in Chapter 3 (Core Strategy) do not include figures for the end of the development plan period which will be 2028 rather than 2027 and these are required to demonstrate transparency and consistency.

The planning authority is commended for preparing housing demand figures and apportioning these across the various settlements / tiers in the settlement hierarchy. The Office notes that the housing demand from 2021 up to 2026 is for 4,981 units, and thereafter it is assumed that housing demand will be delivered evenly up to 2031 to a total target of 11,126 or 14,946 units if the MASP allocation to Bray is included.

However, the actual housing demand figure for the plan period (assumed to be Q3 2022 to Q2 2028) is unclear from tables 3.2, 3.3 and 3.4. Further, tables 3.3 and 3.4 appear to provide figures for 7 years (combined) rather than 6 years.

As such, the planning authority is required to review its HST figures making the necessary adjustments to the figures in the core strategy tables, and clearly setting out the basis for the housing supply targets for the plan period. This is particularly important given the added complexity of the adjustments for your county under the Housing Supply Target Guidelines and the additional allocation to Bray under NPO68 (Dublin MASP).

Recommendation 1

Recommendation 1 - Housing Supply Targets

Having regard to the section 28 *Housing Supply Target Methodology for Development Planning Guidelines for Planning Authorities* (2020) including Appendix 1, and *Circular Letter Housing 14/2021*, the planning authority is required to:

- (i) revise Core Strategy tables 3.3 and 3.4 to provide Housing Supply Target (HST) figures calculated in accordance with the methodology for the plan

period, and review the allocations for settlements over the plan period in line with the overall HST for the county; and

- (ii) consider consolidating and reducing the number of tables with population and housing target figures in order to provide for greater clarity and transparency, including providing population projections for the end of the plan period.

[*Development Plans, Guidelines for Planning Authorities, Consultation Draft* (August 2021) (Appendix A) provides a useful reference and illustrative example of a core strategy table.]

The planning authority may also consider it necessary to review the draft Housing Strategy and Housing Needs Demand Assessment in light of the finalisation of the Housing Supply Target in accordance with the methodology as per (i) above.

1.2 Settlement Strategy

The Office welcomes the overall approach and structure of the higher levels of the settlement hierarchy, specifically levels 1 - 4 which includes the designation of Bray and Wicklow-Rathnew as Key Towns and considers it to be generally consistent the settlement hierarchy (table 4.2) and settlement typologies (table 4.3) in the RSES.

However the lower tiers of the Settlement Hierarchy, which has six tiers in total, includes two Towns & Villages levels (Small Towns Type 1 and Type 2), two Villages levels (Type 1 and Type 2), Rural Clusters (level 9) and Open Countryside (level 10). The inclusion of 66 rural settlements / villages within these levels does not reflect the distinction between established village settlements and small clusters or groups of houses which, although important at a local or community level, are not consistent with the approach and guidance for development plans contained in Section 4.2 – Settlement Strategy and 4.3 – Defining a Settlement Typology of the RSES.

By way of example, a number of unserviced settlements and very small stretches of ribbon development or clusters such as Gorteen, Kingston and Macreddin are included which are more appropriately located in the 'Open Countryside' tier. The infrastructure capacity for these settlements is extremely limited and the designation

of such a large number of very small settlements undermines the objectives set out elsewhere in the draft Plan and the Core Strategy to redirect growth to the upper tier settlements to achieve compact growth (consistent with NPO 3), sustainable development of rural areas (NPO 15), and targeting the reversal of rural decline in small towns and villages (NPO 16).

The planning authority is required to consolidate the number of lower tiers in the settlement hierarchy in particular at levels 7 – 9 with a particular focus on the inclusion of settlements based on the infrastructure capacity and deficits as highlighted in Table 8.3 of the Strategic Environmental Assessment (SEA) report.

Recommendation 2

Recommendation 2 - Settlement Hierarchy

Having regard to National Policy Objectives NPO 3, NPO 15, NPO 16 and section 4.2 – Settlement Strategy and section 4.3 – Defining a Settlement Typology of the Regional Spatial and Economic Strategy, the scale of the settlements at levels 7 – 9 and their infrastructure and service provision, the planning authority is required to:

- (i) consolidate and reduce the number of settlement levels and consider combining tiers 7 – 9 into one tier which distinguishes between the larger serviced villages and smaller unserviced villages / clusters, the latter of which, should be included within the Open Countryside tier;
- (ii) review and reduce the number of settlements within Levels 7 - 9 having regard to NPO 15 and the range of social, community and retail services, as well as capacities in service infrastructure such as footpaths, cycle lanes and public transport available to ensure that the growth targets are proportionate and will assist in sustaining and regenerating these settlements;
- (iii) review the settlement boundaries to reflect the extent of each established settlement to ensure compact and sequential growth and avoid ribbon development consistent with the guidance in the *Sustainable Rural Housing Guidelines for Planning Authorities (2005)*; and

- (iv) notwithstanding the changes that may result from part (a) above, remove Ballyduff, Ballyfolan, Ballynultagh, Baltyboys, Boleynass, Barranisky, Carrigacurra, Croneyhorn, Glenamalure, Goldenhill, Gorteen, Kilcarra, Kilmurray, Macreddin, Oldcourt, Rathmoon, Redwells and Tomriland from tier 9 and include them within the Open Countryside tier.

There are five separate diagrammatic maps setting out the settlement hierarchy for the County. It is considered that one map should be provided to depict how the county will develop in line with the strategic roads/rail infrastructure, settlement designations and rural area types as required by Section 10 (2B) of the Act.

Observation 1

Observation 1 – Settlement Strategy Map

Having regard to Section 10 (2B) of the *Planning and Development Act 2000* (as amended), which requires the principal elements of the core strategy to be represented on a diagrammatic map or other such visual representation, the planning authority is requested to replace the five maps setting out the settlements for the County with one map to give a clear County wide representation of the spatial relationship/interaction between settlements, relevant roads, including national roads and inter-urban and commuter rail routes.

1.3 Distribution of Population Growth

It is considered that the housing unit allocations at settlement and tier level (combined) are generally acceptable as the vast majority of future housing growth is directed to the larger settlements and settlements designated for significant growth in the RSES.

It is noted, however, that the population targets for Newtownmountkennedy and Rathdrum set out in table 3.6 represent an increase on the 2016 population of 47% and 45% respectively by 2031. The potential impacts of such rapid growth on smaller towns and villages is acknowledged in the NPF. In order to ensure that



growth is appropriate to the nature, scale and social and physical infrastructure in these settlements, the provisions of NPO 9 limit population growth to 30% of its 2016 population by 2040. Notwithstanding the extant permissions for Newtownmountkennedy and Rathdrum, the Office considers that the draft Plan should review the allocations to these settlements to ensure greater consistency with NPO 9 and for the reasons outlined below.

Section 4.4.1 and Appendix A (section 1.2.3) of the draft *Development Plans Guidelines for Planning Authorities 2021* provide guidance on how extant planning permissions should be considered in respect of the core strategy and land availability.

The housing unit allocation to Newtownmountkennedy is greater than that allocated to the Self-Sustaining Growth Town of Blessington at tier 3 and almost the same as the allocation to the remaining tier 4 settlements which are allocated 473 housing units between them. Newtownmountkennedy has experienced very significant growth over recent years, much of which is located on the periphery of the settlement outside or close to the CSO boundary and western distributor road. Furthermore, the employment base in the settlement is low, resulting in high levels of car-dependant commuting patterns along the N11, and an unsustainable settlement and transportation strategy contrary to Section 10(2)(n) of the Act. In this context, it is considered that the housing unit allocation should be reduced for the plan period.

While Rathrum has a lower housing unit allocation for the plan period, this is considered in the context of its 2016 census population of 1,663. Many of the above issues also arise in the context of Rathdrum, particularly the location of development and the high level of car-dependency resulting from this pattern of development.



Recommendation 3

Recommendation 3 – Future growth of Newtownmountkennedy and Rathdrum

Having regard to National Policy Objectives NPO 3c and NPO 9 of the NPF, the requirements of section 10(2)(n) of the *Planning and Development Act 2000* (as amended), the housing unit allocations to Newtownmountkennedy and Rathdrum, and their designation as Self-Sustaining Towns which are described as having ‘...*high levels of population growth and a weak employment base which are reliant on other areas for employment and / or services and which required targeted ‘catch up’ investment to become more self-sustaining*’, the planning authority is required to reduce the housing unit allocation to appropriately signal that it is an objective of the planning authority to moderate the future growth of both settlements. This recommendation also needs to consider the extent of land zoned in these settlements which is addressed in Recommendation 5.

1.4 Zoning for Residential Use and Settlement Boundaries

The planning authority’s attention is drawn to the requirement in sections 10(2A)(c) and (d) of the Act for core strategies to include information on the area of land both (a) already zoned, and (b) proposed to be zoned for residential use or a mix of residential and other uses.

This is necessary to satisfy legislative requirements and to demonstrate consistency with the *Guidance Note on Core Strategies* (2010) and to avoid over-zoning of land to meet housing targets.



Recommendation 4

Recommendation 4 – Zoning for Residential Use

In accordance with section 10 (2A) of the *Planning and Development Act 2000* (as amended), and having regard to the *Guidance Note on Core Strategies (2010)*, the planning authority is required to amend the core strategy table(s) in Chapter 3 of the draft Plan to:

- (i) include the area and potential housing yield of both residential zoned lands and other lands zoned for a mixture of residential and others uses, as required by Section 10(2A)(c) and (d) for all settlements which include residential and mixed use development land which has the potential to deliver residential development, and
- (ii) confirm that the density assumptions used to calculate the housing land requirements for the plan period are consistent with requirements of 10(2A)(a) and the recommended residential densities for large towns, small towns and villages in the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009)*.

[*Development Plans, Guidelines for Planning Authorities, Consultation Draft, August 2021* (Appendix A) provides a useful reference and illustrative example for the presentation of this information in the core strategy table.]

While the Office acknowledges the efforts by the planning authority to consolidate the future growth of settlements and deal with legacy over-zoning, concerns remain about the extent of land zoned for residential development in Newtownmountkennedy, Rathdrum and Ashford relative to their housing target allocations in the core strategy.

As outlined above, the Office's analysis indicates that Newtownmountkennedy's 2016 population could increase by 47% by 2031 with its housing stock increasing from 1,222 to 1,854 units (or 52%) over the same period. It is further noted that the

current local area plan for Newtownmountkennedy has a more expansive settlement boundary and zones a greater area for residential use such as the AA 5 lands.

The Office considers that the planning authority should address this issue and try to moderate the future growth of the settlement over the plan period by either deleting the residential zoning objective for land without the benefit of planning permission, or reserving the land as Strategic Land Bank and restricting development within the plan period.

In relation to Rathdrum, the Office's analysis indicates that Rathdrum's 2016 population could increase by 45% by 2031 with its housing stock increasing from 669 to 868 units (or 30%) over the same period. It is also noted that this figure could be higher if further planning permissions are approved and constructed on existing zoned land. The current local area plan for Rathdrum has a more expansive settlement boundary and larger areas zoned for residential in particular along the northern edge of the settlement. There is a need, therefore, to rezone some of the remaining New Residential land to Strategic Land Bank to moderate the growth of the settlement over the plan period.

Ashford is a level 5 Small Town Type 1 which has a 2016 census population of 1,425 people. The settlement strategy allocates 196 housing units to 2028 for the level 5 settlements combined. The vision for the town is, inter alia *'To provide a framework for the moderate growth of the town, in order to provide housing for current and future generations, to revitalise the economy of the town, and to allow improvements of social and community infrastructure'*. (Emphasis added)

The Office notes the opportunities for infill development on the designated opportunity sites and sites developed at a low density in close proximity to the town centre. Having regard to the extant planning permission on the SLO 1 lands, the location of the other lands zoned for New Residential including the SLO 2 lands and the housing unit allocation for the level 5 settlements, there is a need to address the extent of land zoned for New Residential land and rezone same to Strategic Land Bank.



Recommendation 5

Recommendation 5 – Residential Land Zoning (Newtownmountkennedy, Rathdrum and Ashford)

The quantum of land zoned for residential development in Newtownmountkennedy and Rathdrum exceed that required to meet the projected housing supply target and would result in a population increase in the region of 47% and 45% respectively to 2031. The quantum of land zoned for residential development in Ashford similarly exceeds that required to meet the projected housing supply target. Having regard to NPO 3c and NPO 9, section 10(2)(n) of the *Planning and Development Act 2000* (as amended) and the potential for infill development in the vicinity of the Main Streets consistent with the principles of sequential approach to zoning and compact growth, the planning authority is required to:

- (i) delete the residential zoning objective for land on the periphery of Newtownmountkennedy including within the Action Area Plan 1 lands that does not have the benefit of planning permission or alternatively to reserve the land as Strategic Land Bank and restrict development within the plan period;
- (ii) rezone further New Residential land in Rathdrum without the benefit of planning permission to Strategic Land Bank; and
- (iii) rezone some of the New Residential land in Ashford without the benefit of planning permission to Strategic Land Bank. In this regard, the planning authority should give preference to lands that are sequentially preferable in terms of proximity to the town centre.

Table 8.3 of the SEA outlines the motions advised against, subsequently agreed upon as amendments and which have potential for significant negative environmental effects.

The Office has assessed these amendments which propose changes to the settlement boundaries of Baltinglass, Newtownmountkennedy, Aughrim, Dunlavin,



Roundwood and Shillelagh and concludes that a number of the changes would be contrary to compact growth (NPO 3c) and the sequential approach to development.

In addition to the tiered approach to zoning based on infrastructure capacity required under NPO72, both the existing section 28 *Development Plans, Guidelines for Planning Authorities, 2007* and the *Development Plans, Guidelines for Planning Authorities – Draft for Consultation 2021* (SPPR DPG 7) require that a sequential approach is followed when zoning lands, whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently.

In this regard, the Office considers that specific changes are required to the zoning maps and settlement plans to ensure that the development approach is consistent with national policy objectives for compact growth and sequential development and addresses the guiding principles for the integration of land use and transport in the Regional Spatial and Economic Strategy for the Eastern and Midland Region.

Recommendation 6

Recommendation 6 – Residential Land Zoning (Miscellaneous)

Having regard to national policy objectives NPO 3c and NPO 72 (a, b & c) which support compact growth and sequential development, the requirement under the *Development Plans, Guidelines for Planning Authorities 2007* that a sequential approach to the zoning of lands is applied, the guiding principles for the integration of land use and transport in the Regional Spatial and Economic Strategy for the Eastern and Midland Region, and the Wicklow Settlement Hierarchy at table 3.5 and settlement housing targets in table 3.8 of the draft Plan, the planning authority is required to make the following changes to the settlement plans contained in the draft Plan:

- (i) delete the RE – Existing Residential zoning south of Allen Dale Drive in Baltinglass referred to in table 8.3 of the Strategic Environmental Assessment (page 114) and amend the settlement boundary accordingly as

- this change would lead to further ribbon development contrary to the *Sustainable Rural Housing Guidelines for Planning Authorities 2005*;
- (ii) delete the R2.5 – New Residential (Low Density), Aug 3 and Aug 4 zoning objectives in Aughrim (referred to in table 8.3 of the SEA) and make corresponding changes to the written statement as these changes would undermine objectives to consolidate the settlement such as Specific Local Objectives SLO 1 and SLO 2 and AUG 9 (to resist significant new development on the south side of the R747);
 - (iii) review the land use zoning strategy for Dunlavin and delete NR – New Residential lands that are not sequentially favourable and not required to satisfy its housing target. The proposed residential changes referred to in table 8.3 of the SEA (page 114) would undermine the approach to retain sequentially preferable lands as Strategic Land Bank; and
 - (iv) delete the Tertiary Development Area zoning (RD 4) in Roundwood which encroaches on the 200 m buffer from the reservoir and adjoins a proposed Natural Heritage Area and amend the settlement boundary accordingly. The proposed change is contrary to the principles of compact growth and sequential development.

The Office welcomes the inclusion of the Strategic Land Bank (SLB) zoning which has the objective *‘To provide a land bank for future development of the settlement after the lifetime of this plan, if and when the need arises’*.

It is considered, however, that there is insufficient clarity to ensure that no residential development proposals, including single housing, will be considered by the planning authority, on lands identified as SLB until after the full lifetime period of the Development Plan 2022-2028.



Recommendation 7

Recommendation 7 – Residential Land Zoning (Strategic Land Bank)

To provide the clarity and transparency necessary to ensure the effective delivery of compact growth, in accordance with National Policy Objectives 3c, and a sequential approach to the zoning of lands consistent with NPO72 and the *Development Plan Guidelines for Planning Authorities 2007*, the planning authority is required to amend the Strategic Land Bank zoning objective and description to ensure that no residential development proposals, including single housing, will be considered by the planning authority, on lands identified as Strategic Land Bank (SLB) until after the full lifetime period of the Development Plan 2022-2028.

1.5 Development Approach for Settlements

While population and housing targets are provided for all 21 of the largest settlements, only 13 settlement plans are included. The Office notes the intent to prepare a local area plan (LAP) for the largest settlements of Bray (including Enniskerry and Kilmacanogue), Greystones-Delgany (including Kilcoole), Wicklow-Rathnew, Blessington and Arklow.

It is noted from Table 3.10, that all of the settlements where it is intended to prepare a LAP have surplus land to meet their housing requirements. Therefore, it is considered that Section 3.5 of the draft Plan, which sets out the LAPs to be made between 2022-2024, should be supported by a policy objective which also states that the preparation of the LAPs will be informed by a LTP for the Key Towns and a LTP or Area Based Transport Assessment for Greystones-Delgany-Kilcoole, Arklow and Blessington. The timely preparation of these LAPs is important since the majority of current LAPs have a surplus of zoned land having regard to the revised 2031 targets set out in the NPF Roadmap and the RSES for the Eastern and Midland Region.



Observation 2

Observation 2 – Local Area Plans

Having regard to the statutory requirements for the preparation of local area plans (LAPs) for certain areas under section 19(1)(b) of the *Planning and Development Act 2000* (as amended), the Office requests the planning authority to include policy objectives which provide a greater level of clarity on the timing and priority for the preparation of the local area plans for the settlements listed in section 3.5 which takes account of the settlement hierarchy designation and expiry dates of the currently adopted dates for these settlements. Greater priority should be afforded to the preparation of local area plans for the Key Towns and there should be a clear commitment to prepare supporting Local Transport Plans where relevant consistent with Regional Policy Objective 8.6.

The Office notes that section 3.5 (page 54) states '*Until such a time as new LAPs are adopted, the current plans for these towns are herewith subsumed into this County Development Plan*'. Given the potential for policy conflict between the core strategy figures that informed the current adopted LAPs and the revised core strategy projections and corresponding housing unit allocations that will form part of the Wicklow County Development Plan 2022 – 2028, it is recommended that this sentence be deleted.

Recommendation 8

Recommendation 8 - Status of the current Local Area Plans

Having regard to the need for the development plan to be consistent with the National Planning Framework and Regional Spatial and Economic Strategy for the Eastern and Midland Region, the revised core strategy projections and housing unit allocations for individual settlements which provide for lower population targets to 2028 than set out in table 2.4 of the Wicklow County Development Plan 2016-2022, and the surplus of zoned land referred to in table 3.10 of the draft Plan, the



planning authority is required to delete the following sentence from section 3.5 (page 54) in order to avoid policy conflict in the forthcoming plan:

‘Until such a time as new LAPs are adopted, the current plans for these towns are herewith subsumed into this County Development Plan’.

1.6 Tiered Approach to Zoning

NPO 72a requires planning authorities to apply a standardised tiered approach to differentiate between tier 1 (serviced land) and tier 2 (lands that can be serviced during the plan period) for all land use zoning types. Lands that cannot be serviced within the plan period should not be zoned (NPO 72c). In this regard, the Office commends the planning authority for the preparation of an Infrastructural Assessment Report (IAR).

The IAR provided in Appendix 9 of the draft Plan provides details on infrastructure constraints for the settlements but the ‘Methodology for a Tiered Approach to Land Zoning’, as set out in the NPF appears not to have been applied within the settlement maps and it is unclear what lands are already serviced or can connect to services, and what lands are to be provided with full services within the life of the plan. In this regard, the Office considers that further clarity is required to ensure consistency with NPO 72(a-c) and there should be a policy commitment to prepare a more detailed IAR to inform the local area plans for the larger settlements.

Recommendation 9

Recommendation 9 - Tiered Approach to Zoning

Having regard to NPO 72, the planning authority is required to insert an objective in the development plan committing to the preparation of detailed infrastructure assessments, consistent with NPO 72 and the methodology for a Tiered Approach to Zoning under Appendix 3 of the NPF, to inform the development strategy for future Local Area Plans in the county.



2. Compact Growth and Regeneration

2.1 Regeneration Delivery

The Office welcomes the inclusion of policy objective CPO 4.2 to secure compact growth through the delivery of at least 30% all new homes within the built-up footprint of existing settlements and CPO 5.6 which outlines specific regeneration projects in Bray, Wicklow-Rathnew, Greystones, Arklow, Blessington, Baltinglass, Enniskerry, Kilcoole, Newtownmountkennedy and Rathdrum consistent with NPO 3c.

To ensure effective implementation, a clear timeline and strategic approach in carrying out the active land management approach is required and to set measurable targets (perhaps by settlement at the upper levels) and timelines against which the implementation can be monitored and measured.

Observation 3

Observation 3 – Active Land Management Approach

Having regard to NPO 6 which promotes regeneration, brownfield and infill development, the planning authority is requested to set out a clear timeline and strategic approach to carrying out the Active Land Management approach and to set measurable targets (perhaps by settlement at the upper levels) and timelines against which the implementation can be monitored and measured.

2.2 Development Management Standards and Guidelines

The draft Plan makes reference to a number of relevant Development Management Standards applicable to development projects and which support the overall objectives in the draft Plan, including the objective to achieve greater compact growth. The NPF signals a move away from rigidly applied, blanket planning standards in relation to building height, garden size and car parking in favour of performance based standards (NPO 13) where appropriate. There are a number of prescriptive standards promoted within Appendix 1 of the draft Plan which could militate against the principle of promoting appropriate density and compact growth in the higher order tier settlements, including:



- Site coverage and plot ratio standards for neighbourhood centres, offices, manufacturing, distribution / warehousing and retail warehousing
- A separation distance of 22m will normally be required above ground level between opposing windows serving private living areas
- Table 2.3 and Table 4.1 Car Parking Standards, whereby it must be clarified that the requirement is for maximum standards.

Observation 4

Observation 4 – Development Management Standards

The planning authority is requested to:

- (i) review the car parking standards promoted in the draft Plan to ensure that appropriate maximum standards are included for both residential and commercial / industrial developments in urban areas in accordance with NPO 13; and
- (ii) remove the site coverage and plot ratio standards and minimum separation distances between opposing windows and instead focus on assessing individual development proposals on performance based criteria dependent on location and individual site characteristics in accordance with the provisions of NPO 13.

Policy objective CPO 6.2 seeks to control housing occupancy within the levels 1 – 6 settlements by requiring that 25% of the units in multi-unit house developments are occupied by persons “*who have lived for at least 3 years duration in County Wicklow, within 15km of the proposed site*”. The basis for including such a measure has not been provided in the housing strategy or elsewhere within the draft Plan. Having regard to NPO 28 which aims to achieve a more inclusive society, and the size of these settlements which include substantial urban centres, the inclusion of controls to restrict occupancy of multi-unit schemes could suggest a bias towards local people which is in conflict with NPO 28. Furthermore it is not clear how the planning authority will monitor the implementation this policy approach and in this regard the

planning authority is reminded of its remit under Section 15 of the Act, which states that *'It shall be the duty of a planning authority to take such steps within its powers as may be necessary for securing the objectives of the development plan'*.

Observation 5

Observation 5 – Housing Occupancy Controls

Having regard to NPO 28 which sets out to plan for a diverse and socially inclusive society that targets equality of opportunity, the planning authority is requested to review Policy CPO 6.2 and the requirements therein which set out to restrict housing occupancy to those who are from within 15km of the site and who have lived for at least 3 years in County Wicklow.

3. Rural Housing and Rural Regeneration

3.1 Rural Housing Policy

The Office considers that the rural housing policy approach adopted by the draft Plan is generally consistent with the legislative and policy context, including NPO 19 and the *Sustainable Rural Housing Guidelines for Planning Authorities (2005)*.

The draft Plan provides a policy framework to protect against urban generated housing in rural areas (CPO 6.31 and CPO 6.36), and to develop a programme for 'new homes in small towns and villages' as per NPO 18b which will support the regeneration of rural villages and small towns.

Notwithstanding the above, CPO 6.41 which sets out the rural housing policy includes text which indicates that the needs of an applicant *'shall be supreme'* whereby a conflict occurs with any other settlement strategy objective / landscape zones and states that *'the protection of views and prospects should not give rise to the prohibition of development'*.

The Office considers that the inclusion of this text is contrary to NPO 52, the advice set out in the *Sustainable Rural Housing Guidelines for Planning Authorities (2005)* and agrees with the concerns raised in the SEA which states *'These changes would dilute the management of rural housing and has the potential to result in more*



*housing in the Open Countryside with associated significant adverse effects on various environmental component..*¹

Recommendation 10

Recommendation 10 - Rural Housing Policy

Having regard to NPO 52, table 8.3 of the Strategic Environmental Assessment and the *Sustainable Rural Housing Guidelines for Planning Authorities (2005)*, the planning authority is required to remove the following text from CPO 6.41:

“In the event of conflict of any other settlement strategy objective / Landscape Zones and categories, a person who qualifies under policy CPO 6.41 their needs shall be supreme, except where the proposed development would be a likely traffic hazard or public health hazard.

With regard to the preservation of views and prospects, due consideration shall be given to those listed within the area of the National Park; and with respect to all other areas, to generally regard the amenity matters, but not to the exclusion of social and economic matters. The protection and conservation of views and prospects should not give rise to the prohibition of development, but development should be designed and located to minimise impact”.

The Office also notes that the draft Plan does not provide a map detailing the rural area typologies set out in NPO 19 (i.e. Areas Under Urban Influence, and Rural Areas Elsewhere) as required under section 10(2A) of the Act.

¹ Table 8.3, page 113 of the Strategic Environmental Assessment



Recommendation 11

Recommendation 11 – Map of Rural Area Typologies

Having regard to section 10(2A)(f)(ix) of the *Planning and Development Act 2000* (as amended) and National Policy Objective 19, the planning authority is required to include a map which details the rural area typologies including rural areas under urban influence and rural areas elsewhere.

4. Specialised Housing Requirements

The Office welcomes the identification of existing and projected need for Traveller accommodation in Wicklow by accommodation type in the Housing Strategy, consistent with your County's Traveller Accommodation Programme (TAP).

The Office considers, however, that the draft Plan does not provide implementable objectives for the provision of accommodation for Travellers consistent with the estimated need, and the land use zoning maps do not appear to indicate the location of lands to provide for such accommodation, as required under section 10(2)(i) of the Act.

Recommendation 12

Recommendation 12 - Traveller Accommodation

Having regard to the requirements of section 10 (2)(i) of the *Planning and Development Act 2000* (as amended), the planning authority is required to include objectives in the plan for the provision of accommodation for Travellers to provide for the estimated need identified in Wicklow's *Traveller Accommodation Programme 2019 - 2024* in accordance with the legislative requirements under section 10 (2)(i) of the *Planning and Development Act 2000* (as amended).

This will include the identification of specific locations in the land use zoning maps for the county.



5. Economic Development and Employment

5.1 Employment zoned land

The Office notes the strong policy support for economic development and employment and welcomes the inclusion of Economic Opportunity as one of the cross cutting themes of the draft Plan as established in Chapter 2. The planning authority is commended for the evidence based analysis set out in Section 9.2 for Wicklow's economic profile and employment trends and the aim to increase the jobs ratio target by 2031. Furthermore, the inclusion of a specific land use plan for Laragh – Glendalough is a welcome strategic approach to the sustainable management of the tourist experience to Glendalough and the promotion of Laragh as a tourist hub and enabler for the co-ordinated growth of the rural economy of this area.

Notwithstanding, limited information has been provided in the draft Plan with respect to the extent of land proposed or available for employment purposes in any of the principle towns and this information is required to demonstrate that the extent and location of lands identified for employment purposes is consistent with the *Guidance Note on Core Strategies (2010)* and 10(2C)(b)(ii) of the Act.

The Office is also concerned about the approach set out in the draft Plan to designate new employment areas where the zonings will conflict with the principle of compact growth and the integration of sustainable transportation objectives and compliance with policy for national roads set out the *Spatial Planning and National Roads Guidelines for Planning Authorities (2012)*. It is considered that robust justification is required for the extent and location of employment zonings at the following locations:

- Mountkennedy Demense, Kilpedder, north of Newtownmountkennedy, with a zoning objective to provide a data centre, Map 09.01, (34ha).
- Kilpedder Interchange with a zoning objective to provide for employment uses including industrial, transport, distribution and warehouse developments, Map 09.02 (27ha).
- Land zoned at the Northern Gateway lands and AA-2 lands in Newtownmountkennedy.



Particular clarity is required on what safeguards will be put in place to protect the strategic function of the N11 national road regarding the anticipated traffic implications from development associated with these employment zonings given they are all in relatively close proximity to each other and are located at intersections to the N11 national road.

Recommendation 13

Recommendation 13 - Employment lands adjoining the N11 national road

Having regard to the National Strategic Outcome for Compact Growth, the principles of sequential approach to zoning (section 28 *Development Plan Guidelines 2007*, paragraph 4.19), section 6.3 of the *Regional Spatial and Economic Strategy* and section 2.7 of the *Spatial Planning and National Road Guidelines for Planning Authorities 2012* and the need to protect the strategic function of national roads, the planning authority is required to provide robust justification for the extent and location of employment zoned land and to demonstrate that the criteria of the aforementioned have been satisfied specifically in respect of the following employment zonings:

- (i) Map 09.01 at Kilpedder with a zoning objective to provide for a data centre and the rationale for such a zoning in this location having regard to the need to rationalise the spatial location of such a use with energy consumption synergies;
- (ii) Map 09.02 at Kilpedder Interchange with a zoning objective to provide for employment uses including industrial, transport, distribution and warehouse developments;
- (iii) AA 2 land at Newtownmountkennedy with an objective to encourage and support the development of a major mixed use employment, a new neighbourhood centre and a new link road from the Ballyronan Interchange; and
- (iv) Northern Gateway, policy objective NK 1 to provide for high employment density uses, such as office based business and enterprise units. The Office

advises the planning authority to consult with Transport Infrastructure Ireland regarding the above.

5.2 Rural Economy & Tourism

The Office acknowledges the rural character of the county and the significance of agriculture to the economic and social viability of rural areas. In this regard, it is noted that the plan makes provision for policies to guide rural enterprise (CPO 9.31 - 9.35), agriculture (CPO 9.36 - 9.41), agri-diversification (CPO 9.37), forestry (CPO 9.42 - 9.48) and fishing (CPO 9.49 - 9.50). The Office welcomes the inclusion of policy CPO 9.34, which guides small-scale rural enterprises and requires that these locate within existing farm buildings and brownfield sites.

The NPF acknowledges the key role the planning process has to play in realising the potential of the extractive industries sector and the importance of identifying and protecting important reserves of aggregates and minerals from development that might prejudice their utilisation. The draft Plan sets out the policy objectives (CPO 9.51 - 9.54) for the extractive industry. However, no map to identify the location of these resources within the County has been included and it is considered that this would be a welcome addition to the Plan and the policy objectives set out in this regard.

Observation 6

Observation 6 – Extractive Industry

Having regard to National Policy Objective 23 and the section 28 *Quarries and Ancillary Activities Guidelines for Planning Authorities 2004*, the planning authority is requested to include a map to show the location of quarries and minerals across County Wicklow.

5.3 Retail

The Office welcomes the inclusion of core retail areas and the recognition of the primacy of Dublin City Centre within the regional retail hierarchy and considers that



the retail hierarchy is generally consistent retail hierarchy for the region set out in table 6.1 of the RSES and with the settlement hierarchy in the draft Plan.

Notwithstanding, it is noted that both Baltinglass and Rathdrum, which are level 3 centres, have specific lands zoned where the policy objectives consider they have the potential for an additional convenience retail / supermarket store. Having regard to the *Retail Planning Guidelines for Planning Authorities (2012)* (RPGs) and specifically section A 1.6 Types of Location and Section 4.4 Sequential Approach to the Location of Retail Development, it is considered that the zonings of the draft Plan with respect to the 'AA1' lands in Baltinglass town plan and the employment lands in Corballis Upper in the Rathdrum town plan and the references to their suitability for the provision of a retail/supermarket development needs to be reconsidered in the context of the sequential approach of the 2012 Guidelines.

Recommendation 14

Recommendation 14 - Sequential Approach to Zoning of lands for Retail Use

Having regard to the *Retail Planning Guidelines for Planning Authorities (2012)*, the objectives for retail development in the draft Plan and the requirements of Section A1.6 and Section 4.4 specifically, the planning authority is required to remove the land use zonings and / or policy objectives for the following lands unless it can be demonstrated that the objectives set out adhere to the guidelines in full and do not conflict with other policies of the draft Plan to support the regeneration of the town centres:

- (i) Lands zoned mixed use in Action Area 1 fronting the N81 in the Baltinglass Town Plan whereby Section 2.9 states that the mixed use zone lands shall be reserved for the development of a discount foodstore; and
- (ii) Policy RT6 which states that lands zoned as employment at Corballis Upper may be considered for the development of a supermarket (Rathdrum Town Plan).



6. Sustainable Transport and Accessibility

The Office notes the proactive approach to transport and movement including a commitment to work with the NTA and TII to support the delivery of a high quality, climate resilient and sustainable transport network in the county by the inclusion of a range of policies. In particular the policy to prepare local transport plans (LTPs) for the key towns (CPO 12.3) is welcomed.

However, the draft Plan does not provide baseline figures for the existing modal split for existing settlements and including baseline figures would enable the setting of achievable targets for modal change for individual settlements (e.g. Wicklow-Rathnew including as part of the Local Transport Plans) and/or by settlement type (self-sustaining growth towns, etc.). Inclusion of baseline figures and targets for modal share would also form a basis for effective monitoring in the implementation of the local authority's movement strategy and climate change strategy, highlighting where implementation needs to be stepped up or addressed in subsequent reviews of the development plan.

Recommendation 15

Recommendation 15 - Modal Share and Sustainable Transport

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n) of the *Planning and Development Act 2000* (as amended), the planning authority is required, in consultation with the National Transport Authority (and Transport Infrastructure Ireland), as appropriate, to:

- (i) include existing baseline figures for modal share for the overall county and modal share targets for the plan period. It is recommended that this could best be provided at individual settlement level for the larger settlements, and at aggregate level for rural towns and villages and the open countryside; and
- (ii) provide an effective monitoring regime for the implementation of the planning authority's sustainable transport strategy and the modal share targets in particular.



6.1 Transport Infrastructure

The policy objectives set out in Chapter 12 to commit to a sustainable transport network, to integrate transport and land use and to facilitate sustainable travel patterns are welcomed. Nonetheless, the Office must ensure that the plan is consistent with the current strategic and statutory policy framework.

The Office has reviewed the plan in the context of the current Greater Dublin Area Transport Strategy and National Development Plan. It is noted that a number of the public transport objectives included in the draft Plan, for example, the extension of the LUAS line to Blessington and the provision of a third interchange at Arklow, have not been identified in the RSES or the Transport Strategy for the Greater Dublin Area 2016 -2035. The inclusion of the projects listed in Chapter 12 (CPO 12.21 and CPO 12.36) needs to be reviewed to ensure consistency with the current policy context and infrastructure strategy for the region. Furthermore, as discussed previously in Section 4, a number of key policies and objectives of the draft Plan regarding employment zonings close to intersections on the national road network need to be re-examined in order to demonstrate consistency with the requirements of the *Spatial Planning and National Roads Guidelines (2012)*.

Recommendation 16

Recommendation 16 - Transport and Land Use

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n) of the *Planning and Development Act 2000* (as amended), and consistency with the section 28 *Spatial Planning and National Roads Guidelines for Planning Authorities 2012*, the planning authority is required to:

- (i) update the transport objectives and land use maps accordingly to ensure that the draft Plan and the policy objectives therein are consistent with the Transport Investment Priorities in Section 8.4 of the RSES, the *Transport Strategy for the Greater Dublin Areas 2016 -2035* and *Project Ireland 2040* including the deletion of projects which are premature including the LUAS



extension from City West / Tallaght to Blessington, the provision of a third interchange at Arklow, Upgrade to the Ballyronan Interchange; and upgrade to the Glen of the Downs Interchange; and

- (ii) strengthen and expand on the policy objectives for national roads to ensure consistency with the Guidelines and a plan-led approach in order to safeguard the strategic capacity of national roads.

The planning authority is advised to consult with Transport Infrastructure Ireland and the National Transport Authority regarding the major transport infrastructure projects included in the development plan.

7. Climate Action and Renewable Energy

7.1 Climate Action

The Office welcomes the inclusion of climate change as one of three cross-cutting key principles of the draft Plan. The draft Plan's overall strategy, in terms of the focus of growth on the MASP area, key towns and villages, is consistent with the promotion of sustainable settlements, in addition to the NPF and the RSES. However, as noted above, there are elements of the transportation and movement policy objectives that require review to align with the spatial aspects of the plan. In addressing Recommendations 5, 6 and 13 above, the planning authority should consider the requirement to promote sustainable settlement and transport strategies for urban and rural areas 10(2)(n).

In addition, the Office considers that the draft Plan should make provision to ensure that the development plan is consistent with the climate action plan to be prepared by your authority in accordance with section 14B of the Climate Action and Low Carbon Development Act 2015, in addition to any future government policy relating to climate action.



Observation 7

Observation 7 – Climate Action

In accordance with section 10(2)(n) of the *Planning and Development Act 2000* (as amended), and having regard to and the importance attributed to climate action by Government policy, as evidenced by, inter alia, the recent *Climate Action and Low Carbon Development Act 2021*, the *Climate Action Plan 2019* and the *Development Plans, Guidelines for Planning Authorities, Consultation Draft* (August 2021), the planning authority is requested to include an objective to consider a variation of the development plan within a reasonable period of time, or to include such other mechanism, as may be appropriate, to ensure that the development plan will be consistent with the local authority climate action plan, and the approach to climate action recommended in the forthcoming Development Plan Guidelines as adopted or any other relevant guidelines.

7.2 Renewable Energy

The Office acknowledges that the current *County Wicklow Wind Energy Strategy 2016* will be updated upon the making of any new guidelines. However, there is no specific policy objective stated to support this and there is no indication of how the implementation of the development plan will contribute to realising national targets on renewable energy and climate change mitigation and, in particular, wind energy production and the potential wind energy resource (in megawatts) as required by the Specific Planning Policy Requirement (SPPR) in the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)*.

It is stated within the draft Plan that the Wind Energy Strategy for the County will be reviewed and updated upon the making of the new wind energy guidelines and a clear policy commitment in this regard is considered appropriate.



Recommendation 17

Recommendation 17 - Renewable Energy Targets

In accordance with the provisions of section 28(1C) of the *Planning and Development Act 2000* (as amended), and having regard to the government's commitment in the *Climate Action Plan 2019* to achieve 70% of electricity from renewable sources by 2030 (adding 12GW of renewable energy capacity nationally), National Policy Objective 55 which promotes renewable energy use and generation to meet national targets, and section 28 guidelines *Wind Energy Development Guidelines 2006* and the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change 2017*, the planning authority is required to:

- indicate how the development plan will contribute to meeting national renewable energy targets, including specific targets in megawatts for wind energy potential in the county. In the absence of any nationally or regionally determined targets for County Wicklow specifically, you are advised to demonstrate appropriate metrics in this regard, which could include Wicklow's share of estimates of additional national renewable electricity target as defined by the % of national land area represented by the county, linked back to the cumulative renewable energy production potential of the areas designated for renewables development.

Observation 8

Observation 8 – Wind Energy Strategy

The planning authority is requested to include a policy objective that indicates a commitment to review the *2016 Wicklow Wind Energy Strategy* upon the publication of the new Wind Energy Guidelines.



It is important that consistency is achieved across county boundaries when identifying areas for wind energy development potential and it is noted that lands identified in the draft Plan as 'Most Favoured' in County Wicklow along the Carlow county boundary do not correspond with areas identified therein as the areas of 'viable wind speed'.

Observation 9

Observation 9 – Areas Suitable for Wind Energy

Having regard to the requirements of section 9(4) of the *Planning and Development Act 2000* (as amended), the planning authority is required to coordinate the objectives for wind energy development in the development plan, with those of the neighbouring counties, to ensure a coordinated Wind Energy Strategy across the region. Particular coordination shall be required with Carlow County Council where current conflicts arise in the identification of preferable locations in the consideration of their recently published Draft Development Plan.

8. Flood Risk Management

A Strategic Flood Risk Assessment (SFRA) has been carried out by the planning authority and is appended to the draft Plan with relevant policies included in chapter 14. This has been reviewed by this Office and the OPW and the inclusion of the Plan-making justification test in the SFRA is welcomed. However it is considered that a number of specific sites within the settlements requires a review where inconsistencies with the Guidelines have been identified.

Recommendation 18

Recommendation 18 - Flood Risk Management

Having regard to the detailed requirements of *The Planning System and Flood Risk Management, Guidelines for Planning Authorities (DECLG and DECHLG, 2009)*, section 28 guidelines, the planning authority is required to update the settlement plan maps to ensure the following:

- (i) the land use zoning maps are overlaid with the flood maps prepared in the SFRA in order to clearly outline the sites at risk of flooding;
- (ii) the inclusion of a water compatible land use zoning (open space) to the Settlement Maps for the Small Town Plans (Type 2) to ensure that there is no encroachment onto, or loss of the flood plain within the settlements; and
- (iii) the land use zonings at the following specific locations should be reviewed and revised where consistency with guidelines cannot be demonstrated:
 - a) Ashford - areas of Community & Educational, Employment and Public Utility lands in Flood Zones A and B;
 - b) Aughrim
 - employment zoning in Flood Zone A; and
 - area zoned mixed use to the east of the settlement at the confluence of the Aughrim and Aughrim Lower rivers;
 - c) Carnew - area of Existing Residential in Flood Zones A and B to the north of the settlement; and
 - d) Tinahely - area of Public Utility which can allow highly vulnerable uses in the centre of the settlement in Flood Zones A and B.

9. Environment, Heritage and Amenities

Chapter 8 of the draft Plan addresses mandatory objectives in relation to protected structures and architectural conservation areas (ACA's) for the county and archaeological heritage and it is noted that the inclusion of ACAs within the land use zoning maps for the settlements sets a strong precedent to conserving and enhancing those settlements.

Chapter 17 includes objectives for natural heritage, including protected habitats and species designated for nature conservation, and green infrastructure. The proactive approach to peatlands in the context of the transition away from commercial peat production is also to be commended.



Chapter 18 includes objectives for public rights of way including an objective to bring forward proposals for the creation of further public rights of way, and that the public rights of way are indicated on maps 18.09 and listed in Table 18.3A.

Advisory Note

The Office also welcomes the promotion of sustainable recreational use in the draft Plan. Having regard to the particular environmental characteristics and sensitivities of County Wicklow, the planning authority is requested to satisfy themselves that there are no policy conflicts within the draft Plan between commitments given to the protection of European Sites and any policy objectives which aim to facilitate sustainable recreational use of the outdoors in County Wicklow.

9.1 Environmental Reports

The Office considers that there has been strong integration between the environmental reporting and the draft Plan preparation process. The inclusion of an analysis of the Member's amendments in the Environmental Report is welcome and is consistent with the strategic environmental assessment process in accordance with the SEA Directive and the Section 28 ministerial Guidelines. Notwithstanding, in accordance with the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities, the findings of the Strategic Flood Risk Assessment should be better integrated with the SEA process, including comprehensively addressing land use zoning and the justification test undertaken therein.

The Office notes that diverse terminology is used in Section 3.0 Screening for Appropriate Assessment which sometimes correctly references the 'likelihood of significant effects' but also sometimes incorrectly states that the draft Plan will have 'an adverse impact on the integrity of European sites'. The planning authority is advised that the terminology used should be amended to ensure that the correct legal test is being applied.

10. General and Procedural Matters

While the Written Statement of the draft Plan is presented in a standardised format, the Office is concerned about the overall size of the document which includes three

volumes and 10 appendices. Whilst there is an extensive range of national and regional policy, legislation and guidelines which the planning authority must have regard to and comply with in preparation of the draft Plan, consideration should be given to reviewing the final document and reducing the significant explanatory text regarding national and regional policy and objectives. The Office considers that there may be an opportunity to rationalise elements of the draft Plan and references to other policy documents, in an attempt to streamline and make the Plan a more concise and user friendly document and to remove duplication. This would result in a plan that is easier to follow and provides greater focus on the key objectives for the plan period.

Notwithstanding the above, the Office acknowledges that the chapters are presented in a standardised format that is easily followed and understood. The accessibility of the individual chapters in the online version also make it easier for the public to access the relevant information. The Office advises that the planning authority satisfy themselves that the references to section 28 Ministerial Guidelines and legislation are up to date e.g. DMURS in the plan.

Furthermore, the Office welcomes the inclusion of Chapter 20 Implementation and Monitoring, which indicates the planning authority's intention to securing and monitoring the implementation of Strategic County Outcomes and the Core Strategy of the Plan. The Office commends the approach applied to set out, in as far as is possible, objectives which are specific, measurable, achievable, and realistic which is advocated for within the recently published *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)*,.

In this regard consideration could be given the inclusion of provisions for monitoring residential development permitted in rural villages and in the open countryside over the plan period to assist in the monitoring of development patterns occurring under the settlement strategy and tracking progress of the Core Strategy to meet with the requirements of NPO 15 and NPO 16.



Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 13 of the Act must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the draft Plan. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the chief executive shall inform the Office and give reasons for this decision.

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 *plans@opr.ie*.

Yours sincerely,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
