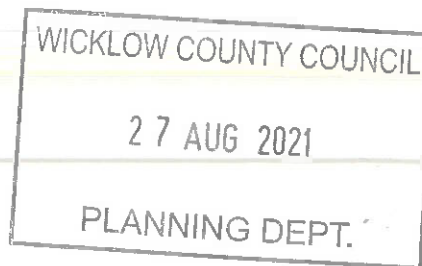


Planning Department,
Wicklow County Council
County Buildings
Whitegates
Wicklow Town
A67 FW96



26th, August 2021

Dear Sir/ Madam,

RE: SUBMISSION ON THE DRAFT WICKLOW COUNTY DEVELOPMENT PLAN 2021-2027

1.0 INTRODUCTION

- 1.1 I, Paul Stanton, [REDACTED] wish to make a submission on the Draft Wicklow County Development Plan 2021-2027 in respect of my landholding located at Ballinahinch Lower, Newtownmountkennedy, Co. Wicklow. The lands are currently zoned 'Integrated Tourism/Leisure/Recreational Complex' and 'New or Extended Residential Care Facility for the Elderly' in the Wicklow County Development Plan 2016-2022. It is proposed in the Draft Wicklow County Development Plan 2021-2027 to zone the subject lands Active Open Space. The submission respectfully requests that this zoning is amended to RH – "New Residential".
- 1.2 The Council will be aware that the Council had proposed to zone a significant part of the subject lands for residential use in the Draft version of the Wicklow County Development Plan 2016-2022.
- 1.3 The Council will also be aware that this zoning was omitted at material amendment stage, on the basis that the zoning objectives for Newtownmountkennedy, including the subject site, would be addressed in a separate LAP, to be prepared subsequent to the adoption of the County Development Plan.
- 1.4 Work was initiated in 2018 on a Draft Local Area Plan for Newtownmountkennedy, but it was not progressed to conclusion and the current position is that the zoning objectives for the town going forward will be addressed in the new County Development Plan 2021-2027.
- 1.5 Furthermore, the lands have been zoned for Integrated Tourism and Leisure Development and, in part, for Residential Care facilities in the current County Development Plan 2010-2016. This zoning was also included in the 2010-2016 County Development Plan.
- 1.6 These lands are appropriately located to provide for residential development in Newtownmountkennedy and are located close to the Newtown Business and Enterprise Centre and New Town GAA Club. The lands are also strategically located close to the N11 which connects to Dublin City and the M50 via the M11, as well as to the southeast of the

country. Newtownmountkennedy is also served by bus services which connect the town with Bray, Greystones, Dublin city centre and Dublin Airport. This provides the lands with the potential for residential uses rather than active open space uses as set out in the Draft Wicklow County Development Plan 2021-2027.

- 1.7 The submission requests that the zoning objective for the lands be changed from Active Open Space *“to protect and enhance existing and provide for new active open space”* to RH – *“New Residential”* in order to provide for the growth in population anticipated over the life of the plan and take advantage of the site’s location close to employment opportunities and in close proximity to recreational facilities.
- 1.8 The works include the removal of topsoil and the provision of hardcore for permitted structures. Over €1 million in development contributions has been paid to the Council in respect of this grant of permission. Given the level of works which have already taken place on site, the subject lands are considered to be brownfield in nature. In addition, it is considered to be a hazard due to the amount of works which have already taken place and therefore the proposed zoning of Active Open Space would simply result in the site being left in this state. This situation can only be addressed by a suitable zoning objective for residential use in its new County Development Plan.
- 1.9 In the event that the lands are not zoning for residential use, I request that the subject lands be reverted back to their zoning as per the current Development 2016-2022 to provide for Integrated Tourism/Leisure/Recreational Complex and New or Extended Residential Care Facility for the Elderly. Initial works were previously undertaken on the site for a previously permitted development (Reg. Ref.: 102223) to provide for *“integrated tourism and recreational complex consisting of dual use leisure facility, academy, interpretative centre, hotel, 23 apartments, golf course and all infrastructure.”*

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The subject lands are located at Ballinahich Lower, Newtownmountkennedy, Co. Wicklow. The lands are brownfield in nature.
- 2.2 The subject lands are connected to the R772 to the north via the R765 and to the east via Trudder Lane. The R772 is the main arterial route through Newtownmountkennedy connecting to the N11 to both the north and the south. The N11 joins up with the M11 which travels from Wexford in the south to Dublin City Centre in the north. Newtownmountkennedy would be considered a key town in County Wicklow given its proximity along the N11 and also as a result of the Newtown Business and Enterprise Centre to the south of the town.
- 2.3 The New Town GAA Club is located immediately to the east of the site's boundary. The subject lands are located to the southwest of Newtownmountkennedy, c. 750m from the Newtown Business and Enterprise Centre and c. 1.2km from the town centre.



Figure 2.1: Aerial Photo of subject lands with approximate boundary outlined in red (Source: Google)

3.0 NATIONAL AND REGIONAL PLANNING POLICY CONTEXT

National Planning Framework (2040)

- 3.1 The National Planning Framework (Ireland 2040 – Our Plan) guides national, regional and local planning opportunities throughout Ireland together in conjunction with investment decisions until 2040.

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- 3.2 The NPF sets out the importance of development within existing urban areas, including towns such as Newtownmountkennedy, by *“making better use of under-utilised land including ‘infill’ and ‘brownfield’ and publicly owned sites together with higher housing and job densities, better services by existing facilities and public transport”*.
- 3.3 The subject lands are considered to be brownfield in nature given the extent of works that have already taken place on the site. National policy guidance strongly supports development on brownfield lands as opposed to greenfield. The subject lands would therefore be more appropriately zoned for residential uses due to the significant works that have already taken place.
- 3.4 Given the site’s location in Newtownmountkennedy, close to the N11 and employment opportunities in the town centre as well as at the Newtown Business and Enterprise Centre it is considered a suitable for new residential development. The town also has public transport links to larger towns such as Bray and Greystones as well as into Dublin City and Dublin Airport. It is therefore considered that the provision of residential uses at this location is more appropriate than active open space use in order to help the council achieve the above objective listed in the National Planning Framework.

Development Plan Guidelines 2007

- 3.5 The Development Plan Guidelines prepared by the Department of the Environment and published in 2007 provide guidance for Planning Authorities on the making of Development Plans. These guidelines were published under Section 28 of the Planning and Development Act meaning that Planning Authorities are required to have regard to them when preparing and implementing their Development Plans.
- 3.6 Section 1.6 of the guidelines states that Development Plans should:
- *Provide a clear framework for public and private sector investment in infrastructure and in development in the area, having regard to both national and regional plans and policies.*
 - *Offer clear guidance to developers in framing development proposals and to the planning authority in assessing such proposals.*
- 3.7 I welcome this opportunity to bring clarity with regard to my intentions for the land, and request that the Draft Development Plan does not inhibit the land’s potential to provide for significant residential uses at a strategic location in Newtownmountkennedy and close to the N11.

Draft Development Plan Guidelines 2021

- 3.8 In recent decades, housing targets set out in local authorities Development Plans nationally have not been met within the Plan period, and undeveloped lands have been carried over into the new Development Plan rather than providing for additional housing
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to make up for the shortfall in the previous Plan. This is one of the key issues contributing to the current housing crisis.

- 3.9 It is noted in Section 4.4.3 of the Draft Guidelines that additional zoning should be provided above the projected population targets in order to provide for a variety of development 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), that 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.”

- 3.10 Section 4.4.3 goes on to confirm that additional sites should be identified within Development Plans in addition to zoned lands that meet projected population targets in order to *“ensure sufficient choice for development potential is safeguarded.”* The Plan goes on to state:

“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.”

- 3.11 The Draft Guidelines outlines an allowance of 20-25% ‘Additional Provision’ of zoned lands in *“any planning authority’s area as a whole, for a period of six years.”*

- 3.12 Having regard to these recently published Draft Guidelines, it is considered appropriate to now provide additional zoned lands in the Wicklow County Development Plan 2021-2027, and in particular in Newtownmountkennedy so that there is an adequate supply of zoned residential land and to ensure that the housing supply targets are met within the lifetime of the Plan.

- 3.13 Given the site’s location in Newtownmountkennedy, the brownfield nature of the subject and the site’ planning history, it is therefore considered more appropriate to provide additional zoning for residential uses rather than active open space uses to help encourage more activity within the town which can further rejuvenate the town itself.

- 3.14 The Draft Guidelines again place an emphasis on zoning of brownfield lands such as the subject lands.

4.0 LOCAL PLANNING POLICY CONTEXT

Wicklow County Development Plan 2016-2022

- 4.1 Newtownmountkennedy is identified as a Moderate Sustainable Growth Town in the County Development Plan with the following description *“(i) In metropolitan area, strong edge of metropolitan area district service centres, high quality linkages and increased densities at nodes on public transport corridors (ii) In hinterland areas, 10km from large town on public transport corridor, serve rural hinterland as market town.”*
- 4.2 It is proposed within the current County Plan to improve the N11 from Newtownmountkennedy to Sandyford in order to accommodate for the growth in vehicular trip demand along this stretch of road. This town has therefore long been identified as an area with significant growth potential and has existing infrastructure to facilitate with additional growth.
- 4.3 The subject lands are currently zoned ‘Integrated Tourism/Leisure/Recreational Complex’ and ‘New or Extended Residential Care Facility for the Elderly’ where works have already taken place to provide for *“integrated tourism and recreational complex consisting of dual use leisure facility, academy, interpretative centre, hotel, 23 apartments, golf course and all infrastructure”* under permission 102223.

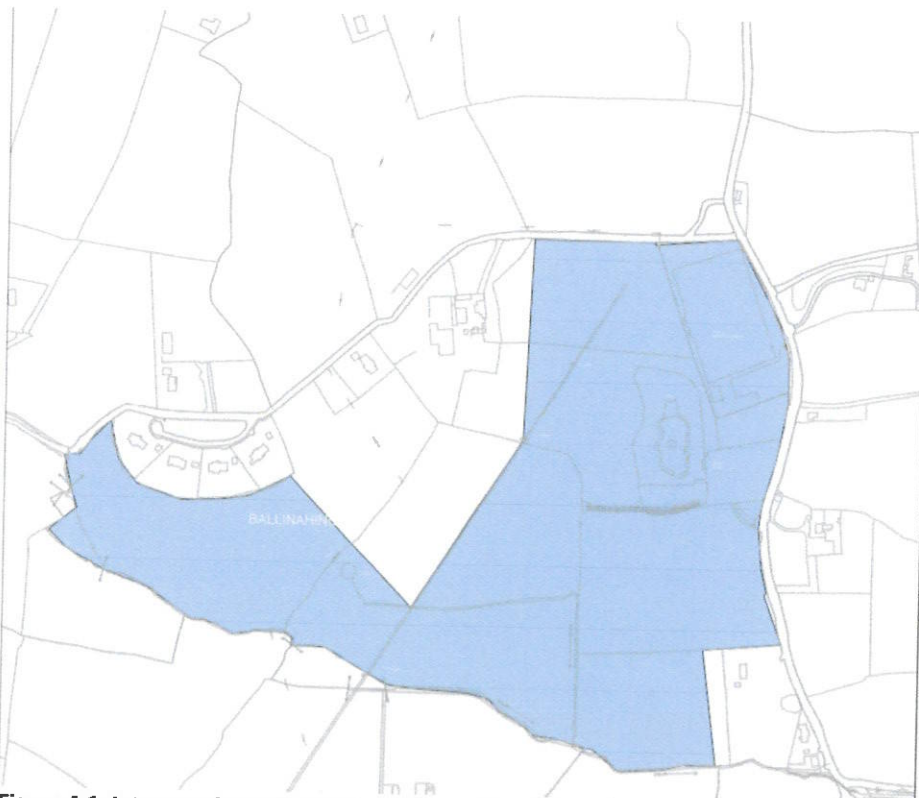


Figure 4.1: Integrated Tourism/Leisure/Recreational Complex Zoning (Source: WCC Dev. Plan 2016-2022)

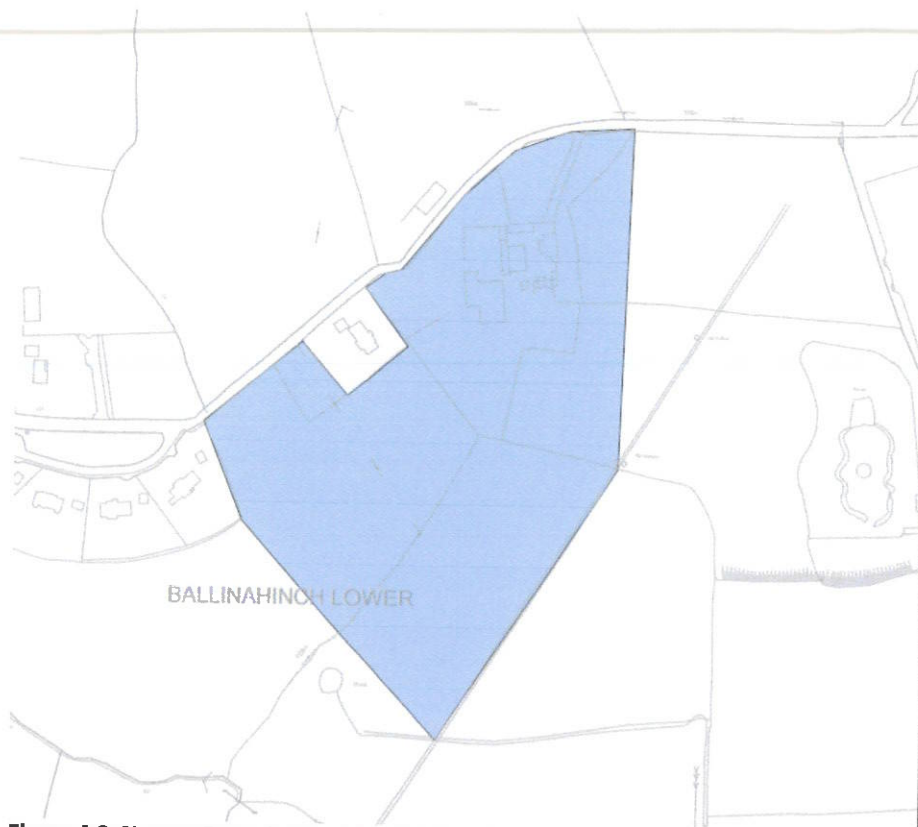


Figure 4.2: New or Extended Residential Care Facility for the Elderly Zoning (Source WCC De. Plan 2016-2022)

- 4.4 T8 of the current Plan states *“To facilitate the provision of tourist information / interpretive centres and cultural venues at appropriate locations where they can be integrated with existing settlements or existing tourism facilities.”*
- 4.5 T20 identifies Ballinahinch Lower as a location for integrated tourism / leisure / recreational complexes. The site is also currently zoned for ‘New and Extended Residential Care Facility for the Elderly’ and CD17 of the current Plan identifies Ballinahinch Lower as a suitable location.
- 4.6 CD18 states the desire *“to facilitate the development and improvement of new and existing residential and day care facilities throughout the County.”*
- 4.7 CD19 states the following:
“Residential and day care facilities shall in general be required to locate in existing towns or villages and shall be located close to shops and other community facilities required by the occupants and shall be easily accessible to visitors, staff and servicing traffic; locations outside of delineated settlement boundaries shall only be considered where:

- *the site is located in close proximity to a settlement and would not comprise an isolated development;*
- *there are excellent existing or potential to provide new vehicular and pedestrian linkages to settlement services; and*
- *the design and scale of the facility is reflective of the semi rural location.”*

4.8 Development has already taken place for the above mentioned development on these lands and therefore to rezone these lands to Active Open Space would be counterproductive. Should the Council decide not to rezone the subject lands for residential use, the current zoning should remain in place to carry out the existing permission.

Draft Wicklow County Development Plan 2021-2027

4.9 The subject lands are zoned Active Open Space with the objective *“To protect and enhance existing and provide for new active open space.”* in the Draft Wicklow County Development Plan 2021-2027. Lands to the north and northeast are also zoned for active open space. Other lands to the east, south and west are not zoned.

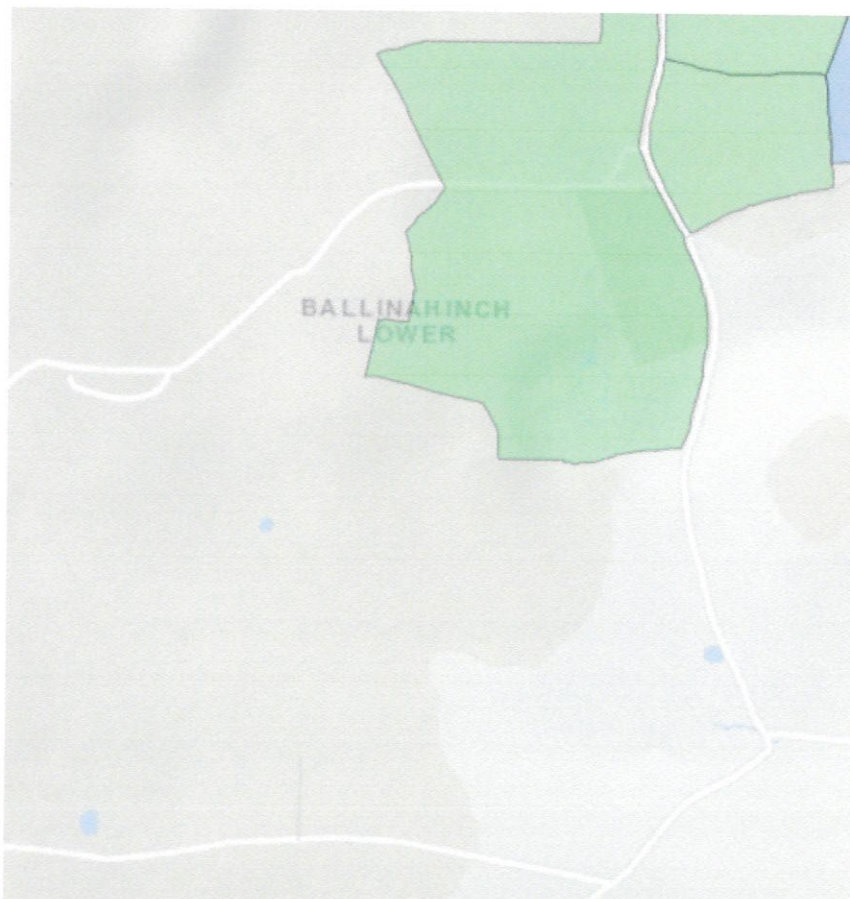


Figure 4.2: Extract from the Draft County Development Plan 2021-2027 (Approx. Site Boundary Outlined in Red).

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- 4.10 The Draft Plan identifies Newtownmountkennedy as a Self-Sustaining Town located within the Core Region of County Wicklow.
- 4.11 The Draft Plan outlines the population of Newtownmountkennedy as 3,552 persons as of the 2016 Census with a population target of 5,220 by the year 2031. Self-Sustaining Towns such as Newtownmountkennedy are targeted to absorb 10% of the County's population growth up to the year 2031. The Plan identifies an additional housing stock target of 372 no. units by 2026, 476 no. units by 2028 and 632 no. units by 2031. Newtownmountkennedy therefore needs to have sufficient lands zoned to accommodate the anticipated residential developments, particularly on brownfield lands as not all lands zoned for residential development in the Draft Plan will necessarily be developed in the lifetime of the plan period. As now recognised in the Draft Development Plan Guidelines, it is important to zone additional lands for residential uses, particularly brownfield land, in order to ensure housing stock targets are met.
- 4.12 The Draft Development Plan sets a minimum of 190 no. units to be built within the existing urban footprint for compact growth and a maximum allowance of 442 no. units outside the built up envelope. The Draft Plan allows for 442 no. units to be built outside of the existing urban footprint to bring the total output to 632 no. units by the year 2031.
- 4.13 It is considered that the Draft Development Plan should allow for additional lands to be developed for residential uses as past experience clearly demonstrates that not all of the zoned are guaranteed to be developed by the year 2028 or even by 2031. Given that the subject lands are considered brownfield in nature and that they are suitably located in Newtownmountkennedy, residential zoning would be the most appropriate land use zoning objective. This approach to provide additional zoned lands for residential use is consistent with the Draft Development Plan Guidelines as outlined above.
- 4.14 In addition, the Draft Plan identifies existing undeveloped lands outside the compact growth boundary and the potential housing yield of these lands. The Draft Plan states that existing undeveloped lands outside the compact growth boundary has the potential to accommodate 590 no. housing units which is a surplus 148 no. units on the maximum permissible target. The subject brownfield lands are strategically located in Newtownmountkennedy and are therefore considered more appropriate to provide for this surplus given that works have already begun for a previously permitted development.
- 4.15 Chapter 6: Housing of the Draft Plan states the desire to *"Delivering sustainable settlement patterns and compact growth in all towns and villages by capitalising on the potential for infill and brownfield development, moving away from a reliance on greenfield development and creating places that encourage active lifestyles."*
- 4.16 Section 6.3.2 of the Draft Plan states *"The priority for new residential development shall be in the designated town / village / neighbourhood centres, in the 'primary zone' or in the historic centre of large and small villages, through densification of the existing built up area, re-use of derelict or brownfield sites, infill and backland development. In doing so, particular cognisance must be taken of the need to respect the existing built fabric and*
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residential amenities enjoyed by existing residents, and maintaining existing parks and other open areas within settlements."

- 4.17 Section 6.3.3 of the Draft Plan states that *"Active land management will ensure that land and building resources within existing settlements are used to their full potential. High quality infill and brownfield development in town and village centres will be encouraged and supported."*
- 4.18 Section 6.3.5 of the Draft Plan states *"The potential of brownfield sites to consolidate the built form and deliver higher densities should be capitalised subject to protecting existing amenities and achieving high quality standards for future occupants."* Any proposed development on the subject site will be within the Development Standards as set out in the Development Plan.
- 4.19 CPO 6.16 states *"To encourage and facilitate high quality well-designed infill and brownfield development that is sensitive to context, enables consolidation of the built environment and enhances the streetscape. Where necessary, performance criteria should be prioritised provided that the layout achieves well-designed high quality outcomes and public safety is not compromised and the environment is suitably protected."*
- 4.20 Volume 2 Part 3 of the Draft Wicklow County Development Plan outlines the Self sustaining Town Plan for Newtownmountkennedy. The vision for the town includes the provision of housing for current and future generations.
- 4.21 The Draft Plan goes on to state that *"no further greenfield residential zoning outside of the built up envelope of the town is provided for in this plan"*. As previously stated, works have already begun on the subject lands for a previously permitted development. The lands are therefore considered brownfield in nature and any potential development will not count towards housing units on greenfield lands.

5.0 REQUESTED REZONING TO THE DRAFT COUNTY DEVELOPMENT PLAN

- 5.1 Following on from the assessment of the subject lands provided above, and having regard to the existing and proposed planning policy framework, a zoning amendment to the Draft Wicklow County Development Plan 2021-2027 is requested.
- 5.2 It is requested that my lands located at Ballinahinch Lower, Newtownmountkennedy be zoned to new residential uses rather than active open space uses. This will help to facilitate the provision of much needed residential development in this self-sustaining town and will provide the opportunity to promote brownfield development within one of the County's towns and villages which is a prominent theme in the Draft Development Plan. The provision of additional residential zoned lands will help to achieve the national, regional and local policy objectives outlined above and would be in accordance with the Draft Development Plan Guidelines.

6.0 CONCLUSIONS

- 6.1 This submission requests a rezoning of the subject lands to the Draft Wicklow County Development Plan 2021-2027 which has been discussed in detail above and which can be summarised as follows:
- Amend the zoning of the lands at Ballinahinch Lower, Newtownmountkennedy, Co. from Active Open Space to RH – New Residential.
- 6.2 The subject site is located close to the Newtownmountkennedy town centre and also in close proximity to the Newtown Business and Enterprise Centre and New Town GAA Club. As such, it is considered appropriate to provide for additional residential zoning on the subject lands as opposed to active open space uses. The provision for increased residential uses at this location would contribute positively to the revitalisation of the town by providing increased residential opportunities which can help in turn to sustain activity within the town's retail and services, while helping to ensure that the town's housing needs are fully met. Works have already taken place on the site for a previously permitted development (Reg. Ref.: 102223) and are now therefore considered to be brownfield in nature. It is therefore difficult for the site to be used as Active Open Space as topsoil removal has already taken place and is more appropriate for residential zoning.
- 6.3 Should the Council decide not to zone the subject lands for residential use, I request that the zoning of the lands reverts to its existing zoning of 'Integrated Tourism/Leisure/Recreational Complex and New or Extended Residential Care Facility for the Elderly'.
- 6.4 I would be grateful if the Planning Authority could carefully consider the contents of this submission when preparing the proposed amendments to the Draft County Development Plan.

Yours faithfully,

Paul Stanton



John Spain Associates

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17th February, 2016

Director of Planning
Wicklow County Council
County Buildings
Whitegates
Wicklow Town

RE: Draft Wicklow County Development Plan 2016 -2022

With regard to my client Richard Lacey I write in respect of my client's lands at Ballinahinch Lower, Newtownmountkennedy.

We note that the Draft County Development Plan includes a zoning objective for the significant part of these lands for residential purposes. We also note that Newtownmountkennedy is one of the settlements listed in the Development Plan for which a detailed planning framework will be set through a Local Area Plan rather than in the County Development Plan (as is the case for smaller settlements). In light of this approach adopted in the Draft County Development Plan, our clients respectfully request that the special zoning objective for as shown in the Draft County Development Plan for lands at Ballinahinch Lower, Newtownmountkennedy, as indicated on Map 4.01 is omitted from the County Development Plan and that the future zoning and planning framework for these lands is addressed in the next review of the Newtownmountkennedy Local Area Plan.

Yours faithfully,

John Spain Associates

Managing Director: John P. Spain MRP MRCS (S) MRPI MRPI
Executive Director: Erika Casey MRP MRCS (S) MRPI MRPI