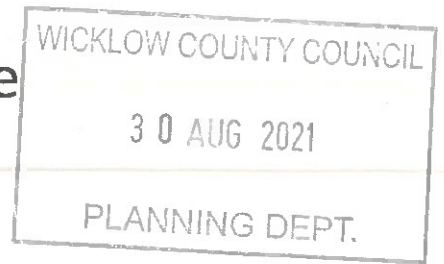


Wicklow Planning Alliance



Submission to the draft County Wicklow Development Plan 2021-27

Introduction (primarily chapters 1 & 2)

The Wicklow Planning Alliance is a disparate group of professionals and environmentalists that has been contributing to county development plans since 2004. Over that time we have seen a considerable improvement in the quality of work that the planners have produced. We in the Wicklow Planning Alliance commend the energy, vision and professionalism that has gone into preparing this draft plan and the manager's report; your 'best effort yet'

We appreciate that it cannot be easy to align the visions of so many people in Wicklow with the National Spatial Strategy proposed under the National Planning Framework. To try to reconcile the East Midland Regional Authority's Economic and Spatial Strategy, population targets and rationing of growth in the hinterland area with the legacy of over zoning must be particularly tricky.

In so many areas we agree. It is a source of inspiration for us in the Wicklow Planning Alliance to see many of the changes that we campaigned for in decades past actually come to pass.

But....

The CDP is a plan of how best to marshal the resources in a particular area for the future. The focus to date has been on providing the conditions necessary for building houses. That objective has been dramatically replaced with a new and over-arching reality - Climate Change and Biodiversity Loss and the need to focus urgently on limiting carbon emissions and protecting the environment that supports us.

Given that Wicklow County Council declared a Climate and Biodiversity Emergency, the expectation was that the County Development Plan would reflect this. These are the biggest issues and threats in human history and a County Development Plan that reflects this is not just a requirement but a moral imperative..

Experts across the globe recognise that the collapse of biodiversity (which is now being accelerated by Climate Change) is going to have even more drastic consequences in a quicker timeframe than Climate Change. Ireland and Wicklow are equally being impacted by these issues. In the past many organisations, groups and individuals requested Wicklow County Council to take action to prevent what we are now seeing but were ignored. We are now out of time, this is the last chance saloon and this County Development Plan must reflect the genuine urgency of where we are at.

National and Regional Plans contain aspirations to such objectives but these have not translated into local plans let alone changes on the ground. Survival is the new priority; we need different County Development Plans in which the aim of economic and housing growth is replaced by environmental 'growth'. We need a plan with short, medium and long term goals.

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This Plan is primarily a prescribed format, light-touch town development regulation plan. It hasn't worked so well to date & we are gradually destroying the County and the Country

The WCDP lacks ambition and despite the stated intention, climate change and biodiversity collapse are not considered at every level. If this were so, **the objective to plan an outer orbital road, for example, would be deleted, as would smaller details such as using wood biomass for burning. No further data centres would be permitted within the county to avoid unbalancing energy supply and the Plan would not contain objectives for driving trails as proposed in the tourism chapter.**

Nor does the Plan map those properties which may need relocating as sea levels rise and more flooding occurs around the coast and our rivers.

See this map of potential flooding:

https://coastal.climatecentral.org/map/13/-6.0516/53.0109/?theme=sea_level_rise&map_type=year&basemap=roadmap&contiguous=true&elevation_model=best_available&forecast_year=2050&pathway=rcp45&percentile=p50&refresh=true&return_level=return_level_1&slr_model=kopp_2014

There is no evidence of ambition to lead and guide Wicklow residents through the changes required to address Climate Change and loss of Biodiversity. There is no acknowledgement that doing the right thing will bring with it new jobs, new industries, community well being, healthier nature and better lifestyles. The EPA told us: "The scale of the changes necessary is difficult to overstate."

WPA recommends that the Plan contain strong, clear and independent policy advice. It doesn't. The phrase "as far as practicable" and similar phrases occur again and again throughout the plan. It may afford planners flexibility as they attempt to steer the development of the county in future but it illustrates a serious misunderstanding of the balance of risks that lie ahead. The risk of not doing all that is possible to protect the citizens against Climate Change and Biodiversity Loss far exceeds all other challenges.

There are insufficient references to the climate action necessary other than committing to Wicklow's Climate Action Plan. It could do better. For example, we see in Wexford's County Development Plan references in their Heritage section to

- Promoting features which act as carbon sinks such as, retention and extension of forests and wetlands and protection and enhancement of green infrastructure, biodiversity, ecosystems and habitats.
- Encourage the retention and reuse of existing structures. Making use of existing buildings before building new structures reduces demolition waste which accounts for a large percentage of landfill and which is an environmental burden, while the production and/or importation of new building materials accounts for a significant amount of energy use.
- Support thermal upgrading of historic buildings (in line with recommended guidance¹ and European Performance of Buildings Directive 2010 (as amended)) to enhance performance and reduce energy consumption.

The comments made by the Supreme Court on the National Mitigation Plan in the Court case taken by and won by Friends of the Irish Environment (31 st July 2020) could be made about Wicklow's Plan. The Court quashed the Government's 2017 National Mitigation Plan, because it was "excessively vague or aspirational" and lacking specificity.

Wicklow's Plan suffers from a lack of specificity and vagueness. Vagueness prevents the citizens from holding those in office to account. Vagueness prevents effective planning enforcement. Vagueness renders the local authority afraid of defending legal challenges from developers. The Chief Justice stated: "It seems to me that the level of specificity required of a compliant plan is that it is sufficient to allow a reasonable and interested member of the public to know how the government of the day intends to meet the [goal] so as, in turn, to allow such members of the public as may be interested to act in whatever way, political or otherwise, that they consider appropriate in the light of that policy."

No landowner has a legal right to zoning. In *Clonres v An Bord Pleanála* [2021] IEHC 303 para 83) the Court stated, "While the right to private property is essential...it does not include a right to develop; or in particular to develop in a way that is not in accordance with proper planning & sustainable development."

Core Strategy (Chapter 3)

We support the thrust of the core strategy, which will significantly reduce the amount of land zoned and thus help to consolidate development in key settlements but we believe that the calculations used do not truly reflect the situation and are misleading for both developers and the public. The figures do not include houses currently under construction or with planning permission. Whilst it is undeniable that the future is uncertain and these homes may never be occupied, there needs to be some recognition that the capacity for even more people moving into the area will be limited and a way proposed to take account of actual numbers as new applications for development are received.

Similarly the mis designation of certain towns and villages, for example, the mis designation of Greystones/Delgany as a Self-Sustaining Growth town surrenders control to developers, creates expectations in landowners and ignores the fact that there will be no funding from the NDP for infrastructure to support a population higher than the allocated target. This is a flagrant breach of the Sustainable Development Goals because it shifts responsibility for the lack of infrastructure to the next generation. A designation for growth is particularly inappropriate considering the EPA's assessment of the Greystones/Delgany Plan, which stated that the high density plan would be in conflict with nature. It is clear that all developments not yet started must cease until the SEA is reevaluated by the relevant bodies and a new zoning of lands for nature put in place to rebalance the park lands already lost to development.¹

Two case studies illustrate the point about misleading calculations. The WPA fully support and commend the submission by Dr. Craig Bishop, who has made a case study of Newtownmountkennedy and points out that the potential population has already overshoot the population target allocated to that town. If all the houses with planning permissions were built, we would see the population almost double within the space of 15 years from 3552 to 6179 .

We note in particular the submission from East Midland Regional Authority **Page 6**.

¹ see submission by Eoin Llewellyn for further information on this point.

Population growth in Level 4 towns overall is targeted to be in the 20%-25% range and it is stated that variation in future growth rates between towns is due to developments already underway in some towns (particularly Rathdrum and NTMK). It is noted that the projected growth rates for NTMK (+47%) and Rathdrum (+45%) are significantly in excess of higher tier settlements and also exceed the 30% threshold for significant growth set out NPO 9 of the NPF. It is acknowledged that Table 3.9 sets out the units that have been constructed/under construction since 2016 in NTMK (837) and Rathdrum (269), which would account for a significant proportion of the proposed growth. Nevertheless, it is recommended that the Core Strategy should include an analysis and rationale of the proposed growth rates, based on past delivery and potential including extant permissions, that outlines the suitability

Similarly Judy Osborne's submission points to similar lacunas in calculations for Wicklow town. Whilst not opposing the growth of Wicklow town, (which needs to reach a critical mass to function as a hub for some necessary amenities for the county,) it should not exceed its targets

We recommend that the advice of EMRA is taken on the following matters :

- **the population targets and figures be re-calculated to include houses under construction or with planning permission and that**
- **Greystones/Delgany be properly designated as a self-sustaining town,**

In order to ensure high quality development the WPA make a few proposals to strengthen the design. In particular, we would like to see a full 'awareness of climate change and damage to nature' permeate every line of every page.

Urban Design & Development control (Appendix 1)

Car dependency and a lack of employment close to the home are linked and contribute significantly to Ireland's carbon footprint. A town's 'walkability' has become a measure of good urban design. The WPA recommends **two new objectives in the development control section:**

1. **To require mobility plans for ALL new residential developments, not only for commercial developments.**
2. **To require an assessment of the impact of traffic created by new residential development on local roads AND N11/M50**

An example of this can be seen in the Portmarnock Local Area Plan. It uses the wording: *Proposals for large scale developments will be required, where appropriate, to submit Traffic and Transport Assessments to assess the impact of the proposed development and associated traffic movements on the efficiency, safety and capacity of the national road network.*

Such an objective is required in Development & Design. Page 21 Access and Roads (also see Section 7) Mobility Management Plans page 23 (also see Section 7)

Other issues will be commented on at random:

ACCESS TO PUBLIC OPEN SPACE (Primarily chapter 18)

The WPA commends the submission by Friends of the Murrough and asks that their proposals are fully taken on board. In their submission they state

With the town now expanding rapidly access to public open space becomes ever more crucial, in terms of the direct health benefits gained by providing urban residents spaces for

physical activity and social interaction, and also by allowing psychological restoration to take place (Lee et al., 2015). Wicklow's population is increasingly diverse, 9.2% are non-nationals (CSO, 2021) and public space has repeatedly been suggested to be an important and necessary platform for diverse ethnic and cultural groups' socialisation, building of group identity and negotiations of relations among different groups according to Madanipour (2003). Covid has shown us clearly that there is a demand for such space and it has also shown us the limits to opportunities for exercise, recreation and socialisation that the town currently offers. In the context of the declared climate emergency, it is important to remember that public open space has been shown to increase cities and towns resilience and economic value, as well as acting as part of the urban area's visual amenities (Mahgrabi, 2020).

Wicklow's CEO also recognises the importance and states in his recommendations in the Report on pre-draft submissions that *there should be a Review and update of the policies and design standards for open space having regard to the Regional Spatial and Economic Strategy Guiding Principles in planning for recreation and open space:*

Having regard to RPO 9.17, include an objective to support the development of regional scale Open Space and Recreational facilities particularly those close to large or growing population centres in the Region. Include a new objective to encourage greater consideration for biodiversity in the design, layout and planting of open space areas.

We see no reference to a regional park in the draft plan and there is a serious shortage of public parks in all Wicklow towns.

It is critically important that we do not conflate public parks with the prescribed open space in a particular development. Nor can private open space such as golf courses be counted as public open space. Young parents in Bray take young children to the public park in Cabinteely for recreation, not to the open space in a housing estate in Greystones or Kilcoole.

Poor quality or lack of community and public space exacerbates pre-existing inequalities, undermines the Sustainable Development Goals and the aims of a Just Transition. Disadvantaged urban communities and residents in confined urban spaces generally are most in need of access to green space. Children are not mentioned in the Plan. Children need easy access to public parks.

Public Rights of Way also fulfil an important function here and we note the Planning Regulator's comments that there are not enough Rights of Way in Wicklow's plan. *We offer full support to Friends of the Murrough submission identifying new paths and support others, including Keep Ireland Open, who may be proposing that existing walks are properly designated as Rights of Way*

TREES IN URBAN SPACES

(Primarily in Chapter 17 but also in the appendix Design and Development controls)

The first objective of a county development should be that WE DO NO HARM and if we are to stop the flagrant abuse whereby trees on private land are felled prior to development being proposed we need new rules in the Plan. The climate experts such as Professor Sharon Turner, explain that the environment is not something that is "nice to have", an optional extra, because if we lose our mature trees and hedgerows they are gone forever. If we lose the bees, that affects our food chain. The current system for the making of specific Tree Preservation Orders does not identify sufficient trees to prevent wholesale destruction which many of us find deeply distressing

In several different locations, Wicklow is close to or has already achieved provision for the population targets allocated to Wicklow. There is therefore no need to permit further biodiversity loss to permit development that would increase density or population targets.

There should be a policy objective that the felling of ANY tree over 10 years old is forbidden without a felling licence, in line with regulations that currently apply to felling of trees outside of town boundaries.

We propose the following statements be added to the draft plan:

1. It is a policy of the council that the felling of ANY tree over 10 years old is forbidden without a felling licence, in line with regulations that currently apply to felling of trees outside of town boundaries.
2. It is an objective of the council to apply for funding to appoint a Tree Officer/Biodiversity officer who would be responsible for handling such applications.

To employ a Tree Officer /Biodiversity Officer was a short term action in the **County Wicklow Biodiversity Action Plan 2010 - 2015, Page 41: Point 29. Support the appointment of a Biodiversity officer.**

It is acknowledged in the draft plan that trees, individually or in groups, make a valuable contribution to the biodiversity and amenities of a town. Trees in urban areas can act as an attractive visual relief to the built environment but they also act as a carbon sink, an absorber of carbon emissions. They also provide shade and shelter, which will be important in a changing climate. This should be acknowledged too. It is recommended to include an objective to encourage the provision of trees in urban areas (existing centres and new housing/ mixed use schemes) as below, proposed amendments in red.

Chapter 17 | Natural Heritage & Biodiversity

With reference to the National, Regional and County Objectives set out in Chapter 2 of this plan, the protection and enhancement of natural heritage and biodiversity will contribute to numerous goals across the three pillars of 'sustainable healthy communities', 'climate action' and 'economic opportunity' by:

Draft Wicklow County Development Plan 2021-2027

- o - protecting our natural capital, which underpins our economy and society, which provides us with the food we eat, the air we breathe, the water we depend on for life and numerous other goods and services we depend on for health, happiness and prosperity;
- o - protecting and enhancing Green Infrastructure and ecosystem services and promote the sustainable management of strategic natural assets such as coastlines, farmlands, peatlands, uplands, woodlands, urban tree cover and wetlands;
- o - increase urban tree planting as a carbon sink in response to rapid climate change
- o - conserving and enhancing biodiversity, protected habitats and species;
- o - conserving and enhancement of water resources including sea, rivers, lakes and groundwater;
- o - contributing to reduction and management of flood risk;
- o - promoting and facilitating an environmentally sustainable approach to practicing agriculture and forestry;

- - supporting appropriate human access to natural assets and areas as a recreational resource, supporting physical and mental wellbeing.

17.4 Natural Heritage & Biodiversity Objectives

CPO 17.1 To protect, sustainably manage and enhance the natural heritage, biodiversity, geological heritage, landscape, and environment of County Wicklow in recognition of its importance for nature conservation and biodiversity and as a non-renewable resource

CPO 17.2 ensure the protection of ecosystems.....

CPO. 17.3 support and promote heritage plan and biodiversity plan and

WPA recommend that we insert

CPO x acknowledge the value of tree planting as a carbon sink and aid in preventing flooding, and in urban areas to provide shade and shelter for increasing numbers of pedestrians and cyclists

CPO 17.18 to promote the preservation of trees, groups of trees or woodlands in particular native tree species, and those trees associated with demesne planting, in the interest of amenity or the environmental, as set out in Schedule 17.05 A and B, and Maps 17.05 and 17.05A - H of this plan.

CPO 17.19 To consider the making of Tree Preservation Orders (TPOs) to protect trees and woodlands of high value.

WPA recommend this sentence is removed ~~where it appears that they are in danger of being felled.~~

INSERT NEW OBJECTIVES HERE PERHAPS or ELSEWHERE IF CONSIDERED MORE APPROPRIATE.

- To acknowledge the importance of increasing urban tree cover to assist in the adaptation to higher rainfall resulting from climate change and to provide shade and shelter particularly for pedestrians and cyclists.
- Encourage landscaping and native tree planting in an environmentally sensitive manner within the plan area as a means of air purification, the filtering of suspended particles and the improvement of Wicklow's micro-climate. as found in Portmarnock's Plan
- To support and facilitate tiny native woodland patches in towns and villages – (see www.pocketforests.ie)
- support the establishment of community orchards for community action, local food resilience, and pollinators
- support communities / individual residents to put forward their own tree planting proposals (which get prioritised to be taken up by the council (i.e. if you want a small patch of birch, which have enormous wildlife value and do not cast a heavy shade at the end of your street and most of your neighbours are on board - the council should do everything to supply you with information RE underground services, the trees, the tools, fencing, etc

- CPO 17.23 To encourage the retention, **wherever possible, (delete last two words. don't make it too easy!)** of hedgerows and other distinctive boundary treatment in the County. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary will be required of similar length and set back within the site in advance of the commencement of construction works on the site (unless otherwise agreed by the Planning Authority).
- **Insert new policy objective to complete and implement The Tree Strategy without delay.** In so much as the WPA has had access to the Tree Strategy recently commissioned from Prof Sophia Meeres of UCD it is welcomed.

The Strategy covers the management of trees, woodland and hedgerows on Wicklow County Council lands. The six goals of this report answer immediate concerns by advocating the mapping by drone of the county's trees, woodlands, riverside vegetation and hedgerows, recommending the publication of an Annual Plan and Review of Tree Works to be published on the Wicklow County Council website and by recommending that there be a strict maintenance protocol where the felling of any tree would be a last resort, sanctioned only on the advice of a trained arborist who also advises what to plant as an immediate replacement for the tree or trees removed. There is great merit in the comprehensive 1-3 year, five-year and ten-year Action Plans outlined in this Strategy. The Action Plans advocate open lines of communication with all stakeholders, partners and interest groups to deliver the protection of 30% of native natural habitats by 2030, develop management plans for woodland and hedgerow areas protected as SACs, pNHA, TPO, SAAO and to develop an Annual Tree Planting Programme to renew Wicklow's woodland resource. We recognise forestry as a source of sustainable rural employment and hope for a nationwide solution to any licensing problems. A computerised tree management system linked to a GIS database is recommended in this Strategy. It seems there will be a need to upskill some employees and to consider the employment of a dedicated Tree Officer or to extend the duties of the Biodiversity Officer so as to consult with all stakeholders and advance the restoration of woodland, wetland and riparian habitats as they get underway.

Several local people from different parts of the county who have contributed to this submission will be looking for amendments to the list of tree protection orders and the WPA fully support those submissions

NEED FOR A NEW DESIGNATION OF LOCAL BIODIVERSITY AREAS

Chapter 17

Many members of the Wicklow Planning Alliance are observing endless damage to nature all around us. In some ways these seem like small insignificant breeches but they are hugely important to our outdoor experience and well being, not to mention the death by a thousand cuts to the ecology that ultimately supports our lives. This is particularly obvious with the felling and destruction of trees, hedgerows and wild spaces and along streams and rivers in the county.

Just over half of the 60 species in Ireland protected under the Habitats Directive are in a favourable condition, while a whole host of important habitats and the species that depend on them are in poor or inadequate condition,

There are also 30 species of bees that are threatened and listed as either critically endangered, endangered or vulnerable, together with various species of rays, freshwater fish, moths, beetles, plants and mosses.

A total of 54 birds, a quarter of all surveyed, are now on the red list. This designation is serious, as, to fall under this category, species must experience a population decline of at least 50%, as well as a 70%-plus reduction in distribution across the island.

Yet, only a small fraction of the targets under our National Biodiversity Action Plan have been completed, including **critical action points** such as developing management plans for our national park network.

Currently Ireland has the fifth lowest land under protection of all OECD countries and even then the review warned that, at present, Ireland offers little more than "paper protection" for these designated protected areas that are "supposed to be the national jewels in the crown of our land". Instead, the forum's review said, "they are inadequately managed and in poor condition, with few exceptions".²

Similarly Wicklow's Biodiversity Action Plan is barely functioning as a plan for current action despite the council's declaration of a Climate and Biodiversity Emergency.

Currently Wicklow has 15 SACs and 4 SPAs. It also has the Wicklow Mountains National Park and some Nature Reserves. But it does not have any NHAs proposed or otherwise. All biodiversity is in collapse, not just specific habitats or critically endangered key species. In fact in the last 3 decades the greatest decreases have been in what are viewed as 'common' species.

In relation to the areas that are already designated there are a number of issues:

- they are not properly managed, regulated, funded or protected
- their integrity is constantly being eroded by a variety of activity and actions which go unchallenged or resolved. When our most highly classified and designated sites cannot be properly protected it holds out little hope for addressing the WCC declared Biodiversity Emergency
- just focusing on keys sites creates islandisation and does not allow for movement of species and strengthening of gene pools
- focusing on key sites does not to address general biodiversity loss particularly of so-called 'common' species
- The National Park, our forests and designated areas are mainly seen by WCC as areas for human tourism, recreation etc and have become oversubscribed to various human recreational activities with little or no regulation. This has undermined and damaged the habitats and biodiversity within. To address this we need to have areas zoned for different recreational activities with strict rules that are enforced. And to have areas where no recreational activities are allowed.

² <https://www.thejournal.ie/endangered-species-part-1-5520770-Aug2021/>

Aside from the existing designated areas there is an urgent need for protection of general biodiversity where the largest declines have been happening. A lot of this has been driven in many ways by a dis-connect between the County Strategic Environmental Assessment and individual Environmental Impact Assessments. In general an individual EIA considers a small area and is based on a very short term, sometimes a one off or one season field visit. On this basis it may not reveal any designated protected species or habitats, nor does it take account of the number of individuals or biomass of 'common' species. When each of these developments go-ahead the impact on biodiversity and the natural environment is not measured or documented in a central location. The combined impact of developments has proved to be significant over the last 3 decades. There needs to be a measure of the cumulative impact of development on all aspects of the natural world.

This lack of protection can be easily addressed by actions such as:

- better rules, design, landscaping guidelines for developments i.e. inclusion of swift bricks, artificial House Martin nests, spaces for Bats to roost in all new buildings.
- living roofs and walls in new buildings
- more extensive and better natural landscaping around developments - native trees, shrubs, wildflowers, cover for animals, hedgerows, hedgehog highways between houses etc
- planning for hedgerows, trees, natural cover between all developments, urban areas linking out to the wider countryside
- the building of wildlife under and over passes at roads (a wildlife over pass at Glen of the Downs for example is urgently required to improve the value of the area to wildlife)
- the new County Development Plan to have a clear and measurable objective to create a network of wildlife corridors connecting all our protected sites, forests, wider countryside and urban areas together.

Wildlife corridors can be a mixture of hedgerows, treelines, riparian ways, wildflower verges, over and underpasses. This is vital to prevent islandisation of habitats and species. It will allow freedom of movement for wildlife, shelter and food. Of course this will lead to better, healthier genetic stock. It also creates a much more aesthetically pleasing and healthy environment for the human population

To mitigate some of these issues **the WPA support the concept that there should be more robust labelling of areas of unprotected local nature rich sites and a specific designation for Areas of Biodiverse Richness or Local Biodiversity Areas** (capital letters) as found in some other CDPs and that these be mapped as quickly as possible.

Furthermore, the draft Plan makes no attempt to explain the range of services (the social, cultural, and public health value) that Biodiverse ecosystems provide to humans. If the predevelopment biodiversity value of site is destroyed by development, it cannot be compensated for by a requirement for the developer to allocate or retain a percentage of the site after development as new open space. The emphasis must be on retaining and conserving the predevelopment biodiversity value of a site, not new "open space".

Possible amendments would be as follows below in red: (current text shown for context)

CPO 17.4. To contribute, as appropriate, towards the protection of designated ecological sites including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); Wildlife Sites (including proposed Natural Heritage Areas); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs).

To contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including but not limited to the following and any updated/superseding documents:

CPO 17.7 To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) and to protect other designated ecological sites in Wicklow

New objective: to identify a new category of Local Biodiversity Areas as found for example in Kildare County development Plan. Objectives: General Natural Heritage It is an objective of the Council to: NHO 1 Identify and protect, in co-operation with the relevant statutory agencies and other relevant groups, sites of local biodiversity importance (Local Biodiversity Areas), not otherwise protected by legislation.

We propose a new objective to map these non designated but important areas as, for example in Kilkenny's CDP Objective NH03 : Undertake necessary ecological surveys and complete habitat mapping for the county during the lifetime of the Plan.

Wicklow Planning Alliance welcome the objective to protect watercourses as in **CPO 17.26** Protect rivers, streams and other water courses by avoiding interference with river / stream beds, banks and channels and maintaining a core riparian buffer zone of generally 25m along watercourses (or other width, as determined by the Planning Authority having particular regard to 'Planning for Watercourses in the Urban Environment' by Inland Fisheries Ireland for urban location) free from inappropriate development, with undeveloped riparian vegetation strips, wetlands and floodplains generally being retained in as natural a state as possible.

We ask that the following stipulations be added:

- **All applicants for planning permission (including housing, roads, greenways) will be required to prove how they have complied with this condition.**
- **Wicklow County Council will request EPA to ensure that the main watercourses in each Municipal District are monitored and classified. One obvious current omission is that the main watercourse in Greystones Municipal District, The Three Trouts Stream, is currently unclassified.**

Wicklow Planning Alliance supports the request by both Greystones Tidy Towns and Delgany Tidy Towns to **designate the Three Trouts Stream river systems from source(s) to sea** as a key Local Biodiversity Area. It should be recognised, protected and developed as the key biodiversity resource within that Municipal District in its own right and also as the buffer zone of the Glen of The Downs SAC and pNHA.

The Plan could also offer more support to people trying to protect the environment of their local streams if there were **additional objectives inserted into development control section such as in Portmarnock's Plan to better control the disposal of surface water into streams**, particularly the surface water from new large estates where silt and car rubber dust and oil from roads is increasingly spoiling our streams and rivers. Whilst SUDS and attenuation tanks are required, these are often not properly inspected or maintained or not sufficiently sized for the job.

Portmarnock Objective UI 5 – Surface water runoff from development sites will be limited to pre-development levels and planning applications for new developments will be required to provide details of surface water drainage and Sustainable Drainage Systems proposals, with the developer responsible for the satisfactory disposal of surface water.

Air quality

Chapter 15 Makes reference to air quality with a number of Policy Objectives as below:

With reference to the National, Regional and County Objectives set out in Chapter 2 of this plan, the appropriate management of wastes and emissions will contribute to numerous goals across the three pillars of 'sustainable healthy communities', 'climate action' and 'economic opportunity' by: - Creating a clean environment for a healthy society; - Ensuring adequate capacity and systems to manage waste in an environmentally safe and sustainable manner; - Addressing air quality in urban and rural area through better planning and design; - Incorporating consistent measures to avoid, mitigate and minimise or promote the pro-active management of noise; - Promoting environmentally sustainable development in terms of location, layout, design, energy and water usage, reduction and safe disposal of wastes.

AND

Air Pollution Objectives

CPO 15.9 To regulate and control activities likely to give rise to emissions to air (other than those activities which are regulated by the EPA).

CPO 15.10 To require proposals for new developments with the potential for the accidental release of chemicals or dust generation, to submit and have approved by the Local Authority construction and/or operation management plans to control such emissions.

CPO 15.11 To require activities likely to give rise to air emissions to implement measures to control such emissions, to undertake air quality monitoring and to provide an annual air quality audit.

But this does not go far enough and we propose a number of new policy objectives in chapter 15 and the appendix on Development & Design, which does not make any attempt in the draft plan to adapt our way of living to climate change, nor to air quality, nor clean water

For example **Development & Design Page 2 insert new principles of good design.**

- **Does the design respond to climate change?**
- **Does the design facilitate good air quality?**

Other objectives to improve air quality should be inserted where appropriate to

***Retrofit heat pumps into council houses and block chimneys (to prevent burning wood and coal)**

***Remove barriers to cycling,**

***make parking more difficult and employ extra wardens to stop parking on pavements etc.**

***have a no idling campaign or parking outside schools**

***Require mobility plans for residential developments**

***Plant more trees**

Light Pollution

(Primarily Appendix 1)

Professor Brian Espey, co-founder of Dark Skies Ireland, gave a powerpoint presentation to council engineers, council staff and representatives on three of WCC's Strategic Planning Committees in June 2021. This gave the example of other city and county councils implementing Best Practice Public Lighting upgraded from the British standard for public lighting written into the April 2017 Policy On Public Lighting, which Wicklow currently follows.

Wicklow Planning Alliance understands that Wicklow County Council has started to replace 15,000 public lights with LED lights, so as to reduce its electricity bills by one third. We understand that the public lighting of towns and parks, of greenways and trails, of riparian, wetland and wooded areas has huge implications for the survival of nocturnal species of birds, insects, plants and wildlife. We acknowledge the time, effort and cost that will need to be invested in making well-informed decisions around which, if any, lights to install, of which height and whether hooded or not. We trust that all LEDs installed will be of the currently standard 3000 Kelvin or less and that these decisions will be taken to mitigate to the fullest the long-term, catastrophic effects of this night lighting pollution on biodiversity, as revealed in recent studies here and internationally, referred to by Professor Brian Espey (and others such as Eoin Llewellyn) in their presentations to this Council and others.

WPA recommend that the proposed objectives in the submission from Prof. Espey, for Dark Skies Ireland, be taken fully on board. We note in particular:

- *Update the ILP guidance on light pollution to the latest version (GN01-2021) and also include the recommendations of ILP GN09:2019 "Domestic exterior lighting, getting it right!" in order to limit other lighting, including advertising.³ Practice should reflect other recommendations as provided by the ILP, e.g. in their Exterior Lighting Diploma course, including:*
 - *Recognise that light is not a right, but needs to be justified on each occasion, e.g. on safety grounds and, given the importance of the environment, consideration be given to the reduction in light level or timing and, potentially, reduced or removed in some instances, particularly in environmentally sensitive areas.⁴*
 - *Installation LED advertising should be strictly controlled at the planning stage and the environment of the lighting should be considered, e.g. when in proximity to more sensitive areas*
 - *Carefully consider the design of the entire lit area when installing new lighting, as existing lighting, e.g. road lighting, may provide sufficient lit level for adjacent footpaths or cycleways, thereby removing the necessity to add additional light which, by its location, will also have an effect of neighbouring hedgerows or water courses.*
 - *Consider the effect of light at near-horizontal directions such as at 80-90 degrees to a lantern's nadir position as light in these directions is particularly deleterious to the surroundings and propagates into the wider environment, increasing light pollution.*

³ ILP Guidance Notes are freely available from: <https://theilp.org.uk/resources/#guidance-notes>

⁴ e.g. attention is drawn to TII practice in removing unnecessary lighting from motorway junctions in line with current lighting standards

- Determine and assign, in conjunction with other stakeholders such as NPWS, environmental zones which will guide future planning including lighting.
- Put a lighting plan in place for the county which would serve to maintain consistency in both time and space and which could be used to inform, and reflect, planning decisions.
- Move towards the use of “warmer” (lower CCT) lighting which has a lower blue content and is shown to be both less environmentally intrusive as well as less disruptive of human sleep and, potentially, health.
- Where lighting is deemed necessary look at:
 - - hours required. Not all lighting is necessary from dusk to dawn. Use timers or motion sensors where appropriate
 - - lighting to illuminate a walkway/path does not need to be tall, low 1m high shielded, bollard lighting is more than enough and reduces level of light pollution

Implementation and Monitoring Chapter 20

It is disappointing to see so little attention is paid to monitoring how well the Plan works in achieving its objectives. It is not good enough to rely on reference to the Strategic Environmental Assessment, which may provide useful baseline data but is too complex to provide the necessary checklist. A range of simple indicators need to be adopted that the public can easily understand. The WPA support the submission by Keith Scanlon who has developed these ideas more fully. The level of carbon emissions produced by developments in the county are one of the key indicators required and we note that Epson are currently working on guidelines to make this possible. **This Plan needs an objective to adopt Epson’s guidelines as soon as they become available.** Indicators to measure the loss of biodiversity are available at the National Biodiversity Indicators initiated by **the Department of Arts, Heritage and the Gaeltacht, National Parks and Wildlife Service in 2013.**
<https://indicators.biodiversityireland.ie/index.php?qt=si&id=9>

Reference has been made in this submission to the failure of existing plans to halt the felling of trees and hedgerows or to reverse the damage to the nature around us. A recent internal Departmental review of the National Biodiversity Action Plan criticised **the overall lack of progress with biodiversity plans and targets in Ireland due to the structure of the plans themselves, in particular, the lack of smart targets – those that are specific, measurable, achievable, realistic, and time bound.** According to one of the authors of the report, Dr Shane McGuinness, the targets are *“unfortunately” informed by “decades, if not a century or more, of existing policy that probably prohibits setting firm targets”.* *This, he said, makes valuing targets, or building what’s called a costing framework around them, “extremely difficult”.*

This is blatantly true of Wicklow’s County Development Plans too and **WPA propose that the monitoring section be rewritten and include an objective to establish a dedicated Biodiversity Planning and Development function to monitor, plan and develop our biodiversity.** **Within 90 days, this function will set the first smart targets for short term (1-10**

years) and long term (up to 100 years) biodiversity planning and development for County Wicklow. It will set a new Zoning type 'Zoned for Biodiversity Development'.

Other simple indicators of the Wicklow County Development Plan could be

- Homeless figures/social housing completions
- Number or % of homes availing of the SEI Better Energy Homes and the Warmer Homes Schemes for disadvantaged households
- Number of houses completed to Passive House Standard or A3 minimum BER rating
- Compliance to the Water Framework Directive in terms of water supply quality and waste water treatment
- Number of new business start-ups
- Number of community renewable energy projects
- Number of farms in the Bord Bia Origin Green Programme
- Number of certified organic farms/growers
- Area under biodiversity designation
- High speed broadband coverage

END

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