

Forward Planning
Planning Department
Wicklow County Council
Station Road
Wicklow Town
A67 FW96

27th July 2021

Our Ref. 21066

Re: Draft Wicklow County Development Plan 2021-2027

Formal written submission

Dear Sir / Madam,

We, Marston Planning Consultancy, 23 Grange Park, Foxrock, Dublin 18 is instructed by our clients **Moffash Ltd., Profile Park, Grange Castle, Clondalkin, Dublin 22** to make a formal submission on the provisions of the Draft Wicklow County Development Plan 2021-2027. The lands which are the subject of this submission equate to c.8.8 ha. and are generally located to the immediate north-west of the town centre of Ashford that is formed by the junction of the R772 and the R764.

Our clients' welcome the preparation of the Draft Wicklow County Development Plan (Draft CDP) but are of the considered opinion that Ashford, due to the population growth that has occurred organically since 2016; and the extant permissions; is required to be considered under a higher tier of the Settlement Strategy than currently indicated. A key part of the submission is that the growth of the town has meant that it has far outgrown its suggested position as a Level 5 – Small Towns – Type 1 as identified in the Draft County Development Plan 2021-2027. Its form and characteristics of the town are more akin to that of a Level 4: Self-Sustaining Town and should be recognised as such under the Plan.

Summary of Key Points and Recommendations:

- Our client's land holdings are strategically located within Ashford and as a result they are ideally located to contribute to the creation and accommodation of a form of development which supports the compact growth of the town while supporting existing services and infrastructure in a sustainable manner. The lands which are the subject of this submission form an important landholding within Ashford. The zoning and future development of our clients' lands will contribute to the creation of a stronger, connected, sustainable and vibrant town centre.
- The Draft CDP does not take into account that in order to ensure a continuity of supply of zoned residential land, then Planning Authorities should ensure that '*enough land will be available to meet residential needs for the next nine years*' as set out in the Section 28 Guidelines on Development Plans 2007, which the Planning Authority is required to be consistent with. The consequence of the current zoning provision will be significant under provision of housing supply for Ashford. It is recommended that additional lands are zoned to ensure that the population targets are met that reflect its growth since 2016 and the need for it to be considered as a self-sustaining town.
- We respectfully submit that given the strategic location of our clients' landholding in close proximity to Ashford town centre that the draft zoning proposals do not appropriately reflect the contribution that the landholding can make to the delivery of a compact, consolidated and connected pattern of development within the Draft CDP area for Ashford.

- Our client is recommending that the figures in the adopted CDP are adjusted to take into account sites that are either containing extant permissions; those that have flooding issues associated with them and those that have remained zoned, and have not been subject to a substantive planning application, and therefore they are unlikely to come forward for development during the period of the Plan is low.

The basis of this submission is to ensure that changes put forward under the Draft GDP relating to the zoning of lands within Ashford do not in any way compromise the ability of our client's lands to positively contribute in a logically and sequential manner to the proper planning and sustainable development of the town in accordance with National, Regional and Local Planning policies and guidelines.

We submit that from a proper planning and sustainable perspective it is inherent that the content of the adopted CDP does not constrain the delivery of the sustainable development and growth of Ashford. The lands that are subject of this submission provide a strategic opportunity for the creation of a planned growth of the town. The basis of this submission is to seek the zoning for the subject lands that supports residential zoning on the lands in close proximity to Ashford town centre.

1. Location of our clients' lands (the subject of this submission)

The lands which are the subject of this submission are in the ownership of Moffash Ltd. (refer to the aerial view below). The lands are located in close proximity and within 500m to the north-west of the centre of Ashford in the townland of Ballinahinch. The lands are located generally to the north-west of the new regional road that connects from the R763 to the R764; and the development known as the Hazels and the Willows that were undertaken by our client. The site is located to the north of the Vartry River within the town.



Lands to which this submission relates denoted by the redline

Our client can confirm that the lands are serviced to their southern boundary as a result of the permission granted under Reg. Ref. 15524 that was granted by Wicklow County Council and was subsequently upheld by An Bord Pleanála under appeal under ABP Ref. PL27.246799 on the 7th October 2016. The decision from the Board was notable in stating that they considered that having regard to the Ashford town plan and to the settlement strategy contained in the Wicklow County Development Plan that they considered that the scale of the development proposed (178 units) and the achievement of roads objective of the town plan that the development would be in accordance with the proper planning and sustainable development of the area. This permission established and was permitted to provide five future access points into the lands that are the subject of this submission

The lands that are the subject zoning submission are undeveloped at present. The lands are surrounded by residential development to the east and south, with further undeveloped lands to the west. The Ballycurry Demesne, and its boundary wall and a significant tree stand bounds the site to the north.

The lands rise generally from the east / south-east from the R763 / R764 towards the north/ north-west of the site. The lands are currently unzoned under the Draft County Development Plan and they constitute an underutilised strategic landbank situated within an easy walking distance of the town centre.

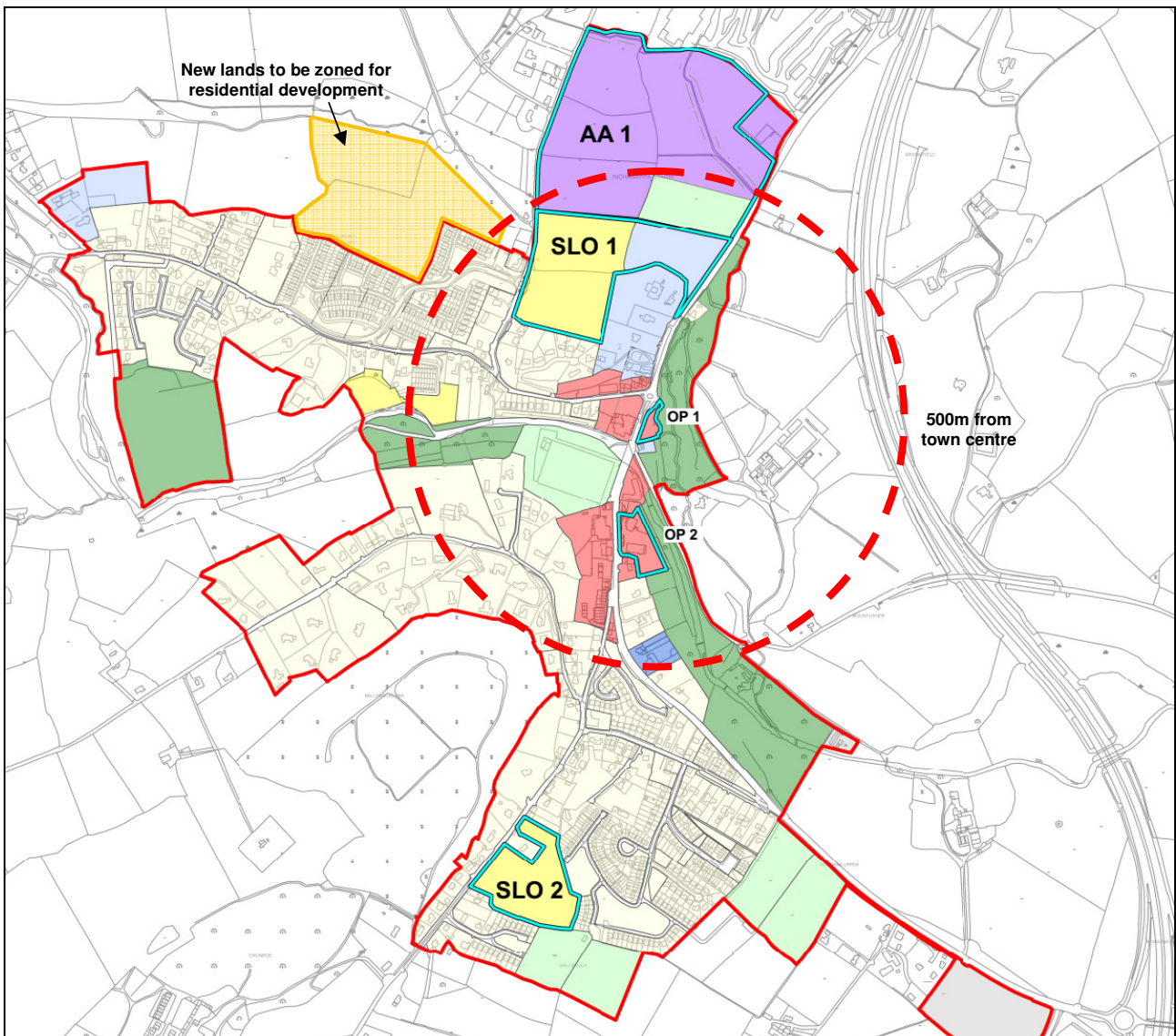
The morphology of Ashford has developed historically around the former N11 Dublin Road (now R772) and within Ballinlea to the south, and along the R763 in a linear fashion to the west. A historical weakness of the town has been its disjointed development due in part to its position on the old N11 and a number of petrol stations on either side of the road within the town as well as the location of the GAA grounds within its centre, that the Council has tried to address in a planned and co-ordinated manner over the years.

2. Inappropriate Approach to the zoning of lands within the Draft County Development Plan

This section of the submission examines the case for the zoning of our clients' strategic lands within the Draft CDP. It is noted that the Draft CDP does not identify our clients lands for new residential development and does not identify an evidence based assessment for the zoning of the lands in the manner identified. Contrary to the principles of National and Regional planning policy the Draft CDP does not identify appropriate zonings for these strategic lands in close proximity to Ashford town centre. There also appears to be a complete disconnect between the availability to deliver new housing and new residential zonings under the Plan. The Draft County Development Plan has identified three areas within the town for new residential development as follows:

Inchanappa South lands (Specific Local Objective 1)

These lands measure 7ha. of which only 5ha. are zoned for residential development. The Draft Plan recognises that permission for a Strategic Housing Development (Ref. ABP-307230-20) was granted on the residential component of the land for 133 residential units by order dated the 28th August 2020. As outlined above, the Draft CDP states that it is an objective that community / education development is delivered in tandem with any residential development.



Draft County Development Plan excerpt showing location of clients land relative to the town centre of Ashford and new residential zoning

Ballinalea lands (Specific Local Objective 2)

These lands measure 2.6ha. and are located between the Grangelea and Woodview Estates and fronting onto the L-1065 road to the south-west of the town. These are not the same lands as the currently proposed SHD application (Ref. TA27.309503) also within Ballinlea that is located further to the east and outside of the settlement boundary. An objective is that these lands shall deliver access to the Ashford Rovers football grounds. These are currently access via Ashford Downs, Woodview and Meadowview from the north. These lands were also similarly zoned under the previous Plan and no application has been made on them during the Plan period. Whilst their zoning makes sense from a proper planning and sustainable development perspective

Lands bounding the River Vartry to the south of the R764

These lands of c. 1.3ha. were subject to an application for 57 houses under Ref. 06/5731 back in 2006. The Council in considering the application had significant concerns over the development of the lands zoned for development under the current Draft CDP that they reduced the permitted number of units to only 20. Their concern related, due to their location immediately abounding the Vartry River was their potential to flood and required a further flood assessment of the lands. In essence the other 37 residential units were removed by condition. The constructed 20 units form what is called Ballinahinch Park. No permission has subsequently been applied for on these lands. Map no. 3 of the Ashford Plan indicates that the river has a high potential for flooding along and adjacent to these lands. Their zoning also runs contrary to the aim under the vision for Ashford to maximise the potential of the River Vartry as a local amenity. The zoning would also appear to be at complete odds with the Heritage Objective ASH12 that seeks to safeguard the Vartry River and the need for buffer zones along the river from development.

The Settlement Strategy

The Settlement Strategy of the Draft CDP identifies that Ashford is a Level 5 settlement that is defined as a small town – Type 1. The Census of population identifies that Ashford had a population of 1,425 at the time of the 2016 Census with an average household size of 2.98. Since 2016 the town has been subject of significant levels of housing development and population growth that includes the Ballinahinch development to the south of the lands that are subject of this submission. This in itself amounts to 169 housing units and based on the same household size in 2016 would amount to a population growth of 504 in this area alone. In addition small infill schemes in Ballinlea and to the south of the Chester Beatty Inn have generated a further. C. 33 units within the town. In addition further infill housing has also occurred within the town. This means that Ashford has an existing population of over 2,000 in 2021.

This equates to it forming a population significantly larger than other towns within the Level 5 - Small Towns – 1 category and also significantly larger than two of the self-sustaining towns under Level 4 of the Settlement Strategy. When this is coupled with the permission for 133 residential units granted under the SHD application (Ref. ABP-307230-20) within the SLO 1 lands (see above location to the east of the site; it is clear that Ashford will shortly be a town with a self-sustaining population of close to 2,500. It is therefore incumbent on Wicklow County Council to reconsider the role of Ashford as a settlement within the County and to recategorise it as a Self-sustaining Town under level 4 of the Settlement Strategy of the County Development Plan. This is even before it is considered that a further SHD (Ref. TA27.309503) is proposed for 117 residential units in Ballinlea on the south-eastern edge of the town; and for which a decision is pending. This site it is noted is not included within the settlement boundary of Ashford.

We note that the Core Strategy of the Draft CDP identifies an average growth within the County of 20-25% between 2016 and 2031, that is recognised as a population increase of approximately 1,500 across the Level 5 small towns. We note that the majority of this has already been achieved in Ashford irrespective of the other town's population growth during the same period. There is therefore a need to re-evaluate Ashford's position with the Settlement Strategy under the Draft CDP.

The definition of Self-sustaining towns under Level 4 of the Settlement Strategy also more closely aligns itself with that of Ashford as a town. Ashford is a town that requires a focus on services, as evidenced by the objective for the SLO 1 zoned lands (subject of the SHD application recently permitted) that states that it is its objective that education development is delivered in tandem with any residential development. It is notable that the 2020 SHD permission was not tied to this and will not deliver new education facilities to the town. The new CDP states that any new permission or amendment of the SHD permission will not be facilitated without the delivery of community or educational uses. The town also requires significant investment in employment growth and infrastructure that include the delivery of a new link road from the R764 to the R772 across employment zoned lands to the north of the town. Ashford provides the potential to provide urban design and place making improvements within its town centre, that is visible with the town

centre expansion to the south under the permission granted under Ref. 08/1704 and 18603 that is creating an additional 9 retail units within the town.

The implementation of such permissions will facilitate further housing growth and strengthen the town's identity and improve the quality of life for all residents. The town's position relative to the County town of Wicklow town (only 5kms distance) is unique among the settlements within the Self-sustaining towns in that it offers an ability to absorb housing growth and suburban expansion of the town in a more sustainable manner within a compact urban centre. It is important that town's such as Ashford are allowed to expand in order for them to strengthen their viability as service and employment centres.

Consideration of zoning and settlement strategy

We respectfully submit that it is irrefutable that Ashford has capacity in terms of its infrastructure capacity to further expand, and that the basis for the settlement strategy – the 2016 Census – is now outdated with the town having a population of c. 2000 in 2021; and with a recent extant permission to further increase the population to 2,500 shortly.

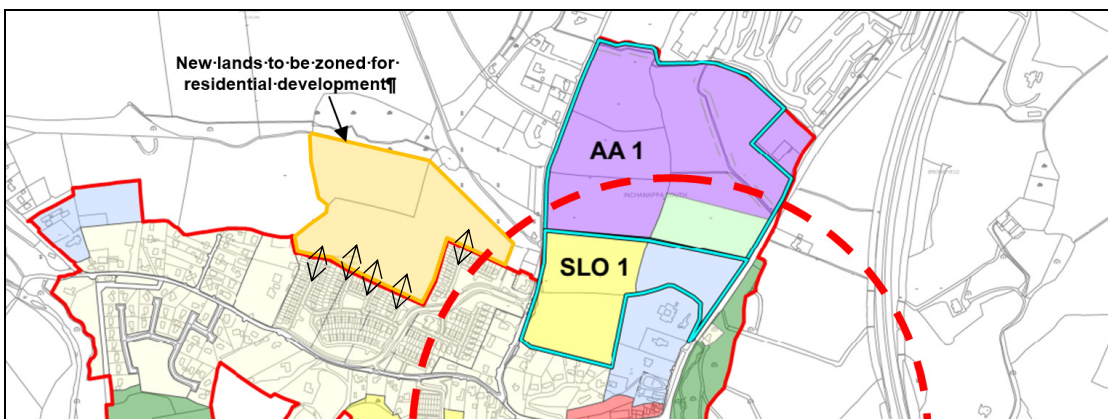
This brings its population base, to one that is akin to a Level 4 – Self-sustaining town. Some of these self-sustaining towns have population targets of 50% between their 2016 population and their 2031 targets. Even allowing for this, it is clear that Ashford's population has already expanded and has extant permissions that increase its overall population by c. 70%. There is a clear need from a proper planning and sustainable development to review the status of Ashford within the settlement strategy.

It is also clear that the new residential zoning either has a recent permission that will be enacted during the early years of the plan period; has flooding constraints associated with it; or has remain zoned, with no planning application being brought forward for it. There is therefore very little if any potential land for new residential development to come forward during the lifetime of the Plan period. This can lead to pressure for residential development in locations that are less well served to accommodate development.

3. Rationale for considering Ballinahinch for residential zoning?

We note that the Draft CDP does not include our client's lands within the settlement boundary of Ashford. It is clear from our review of the proposed new zonings that each has severe question marks relating to their availability to facilitate new residential development with an assumption that the recently permitted SHD application under the SLO1 lands will go ahead. This will potentially provide no available new residential development zoned lands available within Ashford. This in our considered opinion would be unacceptable from a proper planning and sustainable development perspective.

Our clients lands are both on the edge of the 500m zone around Ashford town centre within which the Council state that they will actively seek to promote residential development but are also located immediate adjacent to and with available access from the recently developed lands to the south (see below).



Draft town plan for Ashford under the Draft CDP with additional residential zoned land shown outlined in orange

Our client's strongly support the aim of the Council in seeking to develop the town in a coherent and planned manner around the town centre. However, it must be undertaken on a balanced and feasible approach to its future development. Our client's lands offer the next phase to the growth of Ashford as a self-sustaining town for which it must be recognised under the Draft CDP. The lands are well serviced; provide easy access to the town centre and will offer an opportunity for the further enhancement and expansion of the town

centre. The rezoning and future redevelopment of the lands will also offer greater potential for the aims of the Town Plan in terms of the viability of the town centre and public realm improvements to be realised such as through the development of the two opportunity sites recognised under the Draft CDP.

The lands also offer the opportunity to create improved linkages and amenity within the area. Our client would be willing to accept a specific objective that ensures that 10m strip is incorporated along the northern part of the lands to provide an amenity strip adjacent to the demesne wall.

Recommendations

Our clients' lands, should be identified as RN – New Residential to be developed in accordance with a set of key objectives that would include:

- *Development to occur in a phased manner generally from east to west and associated with the linkages provided under the recent development to the south*
- *A 10m strip to be required along the northern boundary of the site to provide for amenity and to protect the setting of the demesne wall; and*
- *Land to be developed at a density in the range of 35-50 units per hectare.*

We are strongly of the opinion that all lands within 800m of the town centre should be rezoned for development with clear and specific development control objectives for the achievement of the form of development within these zones that should seek to maximise residential density, and facilitate the strategic linkage from the north-west quadrant to the town centre.

Given the strategic location of our clients' lands it is considered that the approach to land use zoning under the Draft CDP, in close proximity to Ashford town centre must be called into question. This approach to land use zoning is contrary to National and Regional planning policy. On that basis we would request that Wicklow County Council allocate the new residential zoning to our clients' lands.

4. Strategic planning policy that supports the review of the zonings under the Draft CDP

Our client's land holdings are strategically located within Ashford and as a result they are ideally located to contribute to the creation and accommodation of a form of development which supports the compact growth of Ashford while supporting existing services and infrastructure in a sustainable manner. The lands which are the subject of this submission form an important landholding within Ashford.

The zoning and future development of our clients' lands will contribute to the creation of a stronger, connected, sustainable and vibrant town centre. The zoning of our clients' lands would constitute an appropriate form of zoning of lands in close proximity to Ashford town centre

From a strategic planning perspective, it is now critical that the Planning Authority allocates sufficient zoned land (in a sequential manner in close proximity to the town centre as per Government Guidelines) to enable Ashford to fulfil its planning role and designation in the settlement hierarchy role, which there are irrefutable grounds for being a self-sustaining town

It is clear that the CDP (when adopted) will play a critical role in the delivery of housing in the right places '*to deliver compact growth*' in accordance with the National planning policy mandate. The first element of this is to ensure that the allocation of future growth is directed towards areas sequentially located to existing development and in close proximity to town centre. Our clients' lands can be categorised as sequentially located lands which in the interests of proper planning should be appropriately zoned for development.

The development of our clients' lands will deliver much needed housing within a town and growth area in accordance with the aims of Rebuilding Ireland, and in particular Pillar 3, which seeks to build more homes – "*to increase the output of private housing to meet demand at affordable prices.*" The proposals relating to our clients' lands within the Draft CDP do not in any way acknowledge the importance of the lands in planning terms nor do they have regard to the National policy mandate in relation to "*compact urban growth*".

We note that the National Planning Framework (NPF) identifies the challenges for the managing of future growth:

'A more balanced and sustainable pattern of development, with a greater focus on addressing employment creation, local infrastructure needs and addressing the legacy of rapid growth, must be prioritised. This means that housing development should be primarily based on employment growth, accessibility by sustainable transport modes and quality of life, rather than unsustainable commuting patterns.'

In terms of housing policy, the proposed development accords with the NPF's core principles for housing delivery – in particular that the location of new housing be prioritised in existing settlements, in this case within the built-up area of Ashford and in a location that has been clearly recognised by the County Council as a future residential area in the way they required the development to the south to be delivered with five access points to our clients lands.

In accordance with National Policy Objective 33, the development of our clients' landholding will be provided at a sustainable location, with access to existing services and facilities being within an estimated 10 minute walk to Ashford town centre through existing and enhanced linkages.

The future development of our clients' lands (subject to the securing of appropriate consents) will deliver a good housing mix within Ashford and utilise sequentially located land to provide housing in compliance with NPF and specific RSES objectives.

The appropriate zoning of our clients' lands within the adopted LAP would, due to their proximity to the town centre, promote the use of sustainable means of transportation (prioritises walking and cycling). This does not apply to lands to the south of the town within Ballinlea.

The development of Ashford has occurred in a somewhat haphazard manner in the past, due to it forming a drive through location on the former N11, based around three centres and there is a need to formulate a land use strategy that is based not only around the realistic position of Ashford within the settlement strategy but also in ensuring that development, in close proximity to the town centre. From a strategic perspective it is considered important that the future development of the town is undertaken in a more balanced sequential manner where development is located to the north-west. This can only occur if it is supported by appropriate positive land use zonings, which is not currently the case under the Draft CDP.

The strong planning rationale for the continuation of residential zoning for our clients' lands is that the sequential development of the town will assist in promoting a more compact urban form, in close proximity to the existing town centre facilities and amenities. The development of the town in this direction will promote a sustainable framework for the future development of the town.

This approach is considered to be aligned with the aims and objectives of the National Planning Framework which are reiterated through the RSES.

It is critical that the Council adhere to the following from the Section 28 Development Plan Guidelines (2007) which state:

*"Planning authorities should take all reasonable steps to ensure that sufficient zoned residential land is available throughout the lifetime of the development plan and beyond to meet anticipated needs and allow for an element of choice. **In particular, to ensure continuity of supply of zoned residential land, planning authorities should ensure that at the time they make a development plan, enough land will be available to meet residential needs for the next nine years.** In this way, development plans will provide for sufficient zoned land to meet not just the expected demand arising within the development plan period of six years, but will also provide for the equivalent of 3 years demand beyond the date on which the current plan ceases to have effect." (our emphasis).*

The Draft LAP does not take into account that in order to ensure a continuity of supply of zoned residential land, then Planning Authorities should ensure that 'enough land will be available to meet residential needs for the next nine years.'

The consequence of including population headroom and not land supply headroom is that there will be significant under provision of housing supply for Ashford. It is recommended that additional lands are zoned to ensure that the increased population targets, required by the recent population growth, and extant permissions, are met.

The filling in of the space between Ashford town centre and the North-west Quadrant lands, in our considered opinion, must be carefully considered from a planning and sustainable development perspective. Lands should be appropriately zoned in order to safeguard and enable the future growth (in a sustainable manner) and promote the functioning of Ashford as a self-sustaining settlement in County Wicklow.

It is notable that only one area that is prone to flooding and for which there are therefore significant concerns over its ability to be developed remain without an extant permission to the north of Ashford that are closest to the heart and centre of the town. We would question the correctness of this approach which is contrary to the principles of proper planning and does not make the best use of serviced lands within the town.

Having regard to the above as well as the specific location of our clients' lands, it would seem logical from a land use planning perspective to rezone the subject lands. This would provide for the development of the subject site and cement the future logical synergy between the zoning of lands at the subject site and the town centre.

5. Conclusions

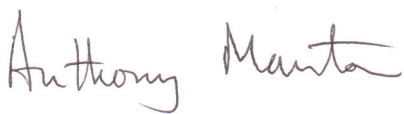
It is in the interests of the sustainable development of Ashford to ensure that land in proximity to the town centre (such as our clients) are appropriately zoned. Our clients request that Wicklow County Council re-examine the zoning attached to their strategic landholding in close proximity to Ashford town centre.

The aim of the new Plan for Ashford should be to promote sustainable settlement patterns by locating growth into the key areas of the town rather than relying on dispersed locations which are lacking in the necessary infrastructure to support it. It is submitted our clients' lands close to the town centre of Ashford are well served by a wide range of existing urban services to facilitate development and promote compact, consolidated growth in a sequential manner.

The primary aim of the Plan should be to promote compact growth within the Ashford and ensure that land in close proximity to the town centre (including our client's lands) are zoned in an appropriate manner to safeguard the future development of Ashford occurs in a manner that ensures the proper planning and sustainable development of the town and our client's lands. In this regard we request that our clients' lands be zoned for New Residential which would constitute an appropriate form of zoning of lands in close proximity to Ashford town centre.

We would be obliged if you will acknowledge receipt of this submission in due course and we would be happy to furnish any further information that you may require to deal with this matter.

Yours faithfully,



Anthony Marston (MIPI, MRTPI)
Marston Planning Consultancy