

Submission in relation to Proposed Amendments to the Draft Wicklow County Development Plan 2022 – 2028

Dear Wicklow Co. Co., please find a number of observations relating to the Draft Wicklow County Development plan below.

1) Level 4 – Newtownmountkennedy:

a) Amendment V2 – 91

We live in Season Park, Newtownmountkennedy, and note the Office of the Planning Regulator’s request for the lands within Action Area Plan 1 to be rezoned Strategic Land Bank. I further note the Chief Executive’s recommendation that this is adopted, plus the councillors’ vote to confirm the same.

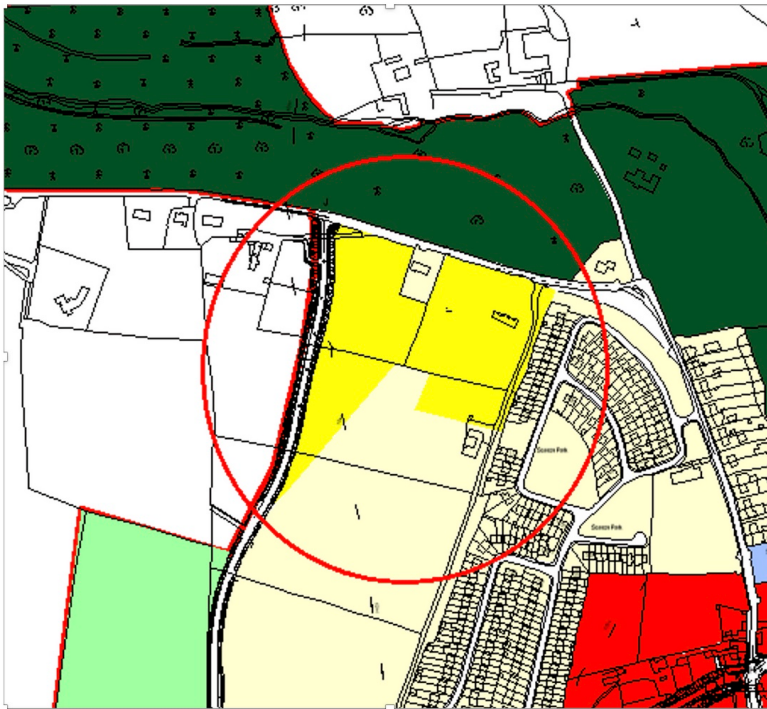
AMENDMENT V2 - 91

Land Use Map

Change from: 'RN New Residential'

Change to: 'SLB - Strategic Land Bank'

Area shown in red circle (c. 3.9ha / 9.6 acres)



Considering the following:

- 1) The Planning Regulator’s stated concern that Newtownmountkennedy’s 2016 population ‘could increase by 47% by 2031 with its housing stock increasing from 1,222 to 1,854 units (or 52%) over the same period,’
- 2) The Chief Executive’s statement on page 335 of his report that the true growth rate in the town could even exceed 70%
- 3) The fact that the National Planning Framework states the population growth for a settlement not designated a growth town should not exceed 30%

4) The numerous challenges facing Newtownmountkennedy, including a lack of local jobs and education plus a limitation on facilities and infrastructure

5) As well as the common agreement between the Planning Regulator, the Chief Executive and the councillors themselves,

we wish to underline our support for the decision to rezone the land as **Strategic Land Bank**, as per Amendment V2 – 91.

We believe this is the correct strategy for the town at this point in time and ask that this be implemented in the County Development Plan 2022 – 2028.

b) Amendment V2 – 92

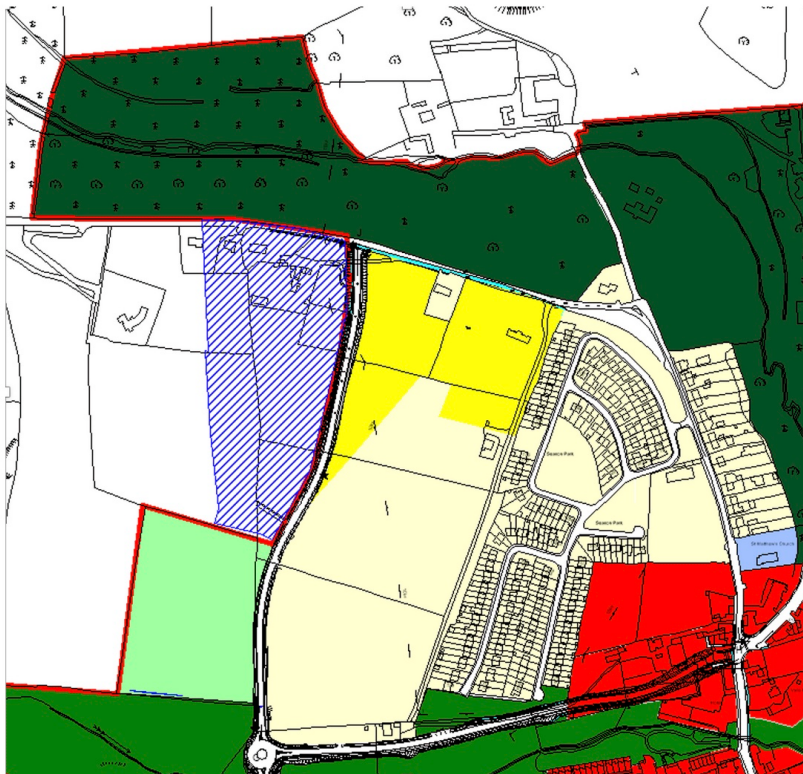
We note the councillor’s vote to change the zoning for an adjoining area in Season Park to Strategic Land Bank. This area of land had previously been zoned New Residential in older County Development Plans, but was initially listed to be dezoned entirely in the Draft County Development Plan.

The councillors voted to change this instead to Strategic Land Bank.

AMENDMENT V2 – 92

Land Use Map

- Extend the Newtownmountkennedy plan boundary by c. 5.3ha as shown on the map below (in blue hatch)
- Zone the land ‘SLB – Strategic Land Bank’



We understand the rationale but, given the too-rapid expansion of Newtownmountkennedy, believe the previous decision stated in the Draft County Development Plan to **dezone** the land is the correct one.

We believe, in line with the points raised above, that this is the right approach for the good of the town.

c) SEA request relating to Amendment V2 – 92

I note that the **SEA Screening Report for Proposed Material Alterations** refers to Amendment V2 – 92. This is referenced in the document under point 11, which states: “This alteration would not provide the most evidence-based framework for development and has the potential to undermine sustainable development and proper planning - with potential for associated unnecessary adverse environmental effects on various environmental components. Taking this into account, SEA is required.”

We **agree with this request** and ask that a Strategic Environmental Assessment is indeed carried out.

We further note that a recent planning application to An Bord Pleanála in relation to the area in question did not acknowledge the presence of an important pond in the northwestern corner of these lands.

This pond is clearly visible in the map below, which is an excerpt from an Ireland-wide mapping project carried out between 1829 – 1841. The map, titled Historic 6” First Edition Colour, is visible online here:

<https://geohive.maps.arcgis.com/apps/webappviewer/index.html?id=9def898f708b47f19a8d8b7088a100c4>



You can see the pond indicated in blue. An independent review by NM Ecology titled *Review of Ecological Assessments** submitted to An Bord Pleanála in relation to the planning application highlighted concerns about this pond, noting that “a pond of more than 150 years is a feature of considerable biodiversity value, which we would consider to be of County ecological importance,” and that “freshwater ponds are habitat for smooth newts, a species that is protected under the Wildlife Act 1976 (as amended). Considering the age of the pond, it is highly likely to support a population of newts.

“Assuming that newts are present, the infilling of the pond would result in the killing of newts and the destruction of a breeding or resting place, which would be an offence under the Wildlife Act 1976.”

Local residents living close to the pond have confirmed the sighting of newts in their gardens.

We therefore ask that this pond be drawn to the attention of those carrying out a SEA and that it is part of the assessment.

We also ask that an assessment is carried out of the historic walled garden, which is also visible in the map above (indicated to the right of the pond).

The review by NM Ecology identifies this walled garden as being of ‘moderate or high suitability’ as a bat roost.

It notes “much of the mortar between stones has fallen out, leaving a range of crevices and cavities in the stonework. These provide a range of crevices and cavities that would be suitable for roosting bats. Based on the criteria in Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins et al. 2016), we consider the walls to be of moderate or high suitability for roosting bats.”

There are also concerns in relation to a potential in-combination effect on the Murrough SAC/SPA via the Newtownmountkennedy river, as mentioned below.

*Note: we have not attached the Review of Ecological Assessments carried out by NM Ecology to this submission as it relates to a current planning application. However the council will presumably be able to access this document in its engagement with An Bord Pleanála.

d) Request for SEA relating to Amendment V2 – 91

An adjoining area of land is referred to in Amendment V2 – 91. No SEA was requested for this, presumably because the proposed amendment calls for this area of land to move from New Residential zoning to Strategic Land Bank.

However this area of land contains a mostly-native woodland which the applicant to An Bord Pleanála accepts may contain protected species. The ecologist's report by NM Ecology states that this is “a native woodland of high ecological value.” Here’s a photo of the woodland.



The ecologist's report also states:

“The patch of native woodland adjoins Newtownmountkennedy Wood, which is a predominantly native woodland located to the north of the village, running along the sides of the Newtownmountkennedy River. Considering the proximity of these two native woodlands, they can be considered part of the same woodland complex.

“In the Ecological Impact Assessment report, the native woodland (labelled ‘immature woodland’) is considered to be of “Local (high) ecological importance”, which is the same rating applied to the hedgerows, treelines and scrub. However, considering that it is native woodland that adjoins a much larger area of similar habitat, we suggest that it should have been assigned a rating of County ecological importance.”

Given this land contains a native woodland which is a possible habitat for a range of protected species, as well as a number of mature trees, we would like to request that a SEA is also carried out on this area.

There is an additional reason for a SEA, namely the proximity of the land to the Newtownmountkennedy River and the fact that in wet weather, considerable amounts of water flows off the land referred to in both **Amendment V2 – 91** and **Amendment V2 – 92**.

The independent ecological review has identified a potential threat to the Murrrough SAC and SPA due to in-combination effects. The review states: “considering that there will be multiple large scale construction projects in close proximity to the river, it is not reasonable to rule out any risk of in-combination effects.”

e) Support for SEA Screening Report concerns relation to increase in zoning in other areas of Wicklow

We share the concerns expressed within the Strategic Environmental Assessment Screening Report by CAAS Ltd. and echoed by others such as the Wicklow Planning Alliance in relation to the jump in zoning over and above that envisaged in the Draft County Development Plan/Chief Executive’s report.

We recognise that the Draft County Development Plan/Chief Executive’s report follows the National Planning Framework and other guidelines in relation to sustainable planning.

We note the concerns expressed in section 9 of the SEA Screening Report for Proposed Material Alterations in relation to a long list of amendments it states requires additional mitigation.

That report states that “these amendments would not provide the most evidence-based framework for development and each has the potential to undermine sustainable development and proper planning. As a result, there is a need to reject these amendments in their current state in order to provide the most evidence based framework for development and ensure sustainable development and proper planning.”

We would urge Wicklow County Council to consider this request as we believe many of these amendments which seek to increase/retain zoning are not in line with best practice and would clash with the National Planning Framework and other guidelines.

f) Support for other proposed amendments:

We voice our support for a range of other proposed amendments.

In Chapter 17: Natural Heritage and Biodiversity:

We believe the change in wording in **Amendment V1 – 71** and **Amendment V1 – 72** are important and would ask that these are incorporated into the upcoming County Development Plan.

We also support Amendment **V1 – 73**.

We support the amendments in **Chapter 18: Green Infrastructure**, namely:

Amendment V1 – 74
Amendment V1 – 75
Amendment V1 – 76
Amendment V1 – 77

We believe that each of these amendments are important in terms of protecting biodiversity and combatting climate change.

Thank you, kind regards,

Shane and Anne Stokes