

CHAPTER 12 - IMPLEMENTATION AND MONITORING

12.1 Implementation

Under the Planning and Development Acts 2000 (as amended), Wicklow County Council has a statutory obligation, and is fully committed to secure the implementation of the Wicklow County Development Plan 2016-2022.

The implementation of this plan requires the cooperation and participation of all stakeholders and Wicklow County Council will undertake a leadership role to progress and secure the implementation of the plan. In providing a leadership role, the Council will aim to foster a collaborative approach with citizens, communities, stakeholders, sectoral interests, partners, Governmental and Non-Governmental agencies and adjoining authorities to achieve the collective support and successful implementation of the plan.

Implementation of the plan will be achieved by:

- Application of the objectives and standards of this plan in the assessment of all applications for planning permission, including Local Authority development.
- Investment in infrastructure underpinning the development objectives of the plan. In this regard, the 'Core Strategy' of the plan shall set the priorities for the provision and improvement of infrastructure by both the Local Authority and other agencies, subject to the availability of funding.
- Integrating the strategies, policies and objectives of the plan with lower order plans such as local area plans and action area plans.
- Ongoing monitoring of the strategies and objectives of the plan and identifying any needs for adjustment of objectives over the lifetime of the plan and in future reviews.

As far as practicable, every effort has been made to craft objectives that are specific, measurable, achievable and realistic. All of the objectives of the plan have been written with the specific aim of fulfilling the 'Core Strategy' of the plan.

12.2 Development Management

Development Management is the statutory process that manages development and in making decisions on planning applications, shall be restricted to considering the proper planning and sustainable development of the area, having regard to the policies and objectives set out in the development plan, all in the interests of the common good. This plan, being a strategic document, sets out these broad policies and objectives, the details of which are subject to best practice interpretation and analysis depending upon the nature and specifics of the development proposed.

The granting of planning permission does not per se enable development to be undertaken as such development will have a legal context outside the remit of the permission. It will also be required to conform with the requirements of legislation and regulations that are outside the scope of planning legislation and that will impact upon the specific development proposed.

12.3 Development Contributions

To facilitate the implementation of roads and transportation, surface water drainage and community facilities infrastructure, the Council will require contributions from benefiting developers.

As per Section 48 of the Planning and Development Act 2000 (as amended), the planning authority may, when granting a permission, include conditions for requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the local authority (regardless of other sources of funding for the infrastructure and facilities). The basis for the determination of a contribution under this Section is set out in the Wicklow County Council Development Contribution Scheme 2014 (as may be amended). The planning authority will require the payment of contributions in accordance with this scheme.

Under Section 49 of the Act, the planning authority may include conditions requiring the payment of a contribution in respect of any public infrastructure service or project specified in a 'supplementary development contribution scheme', where the provision of infrastructure concerned will benefit the development to which the permission relates when carried out.

12.4 Enforcement

Development will be controlled in accordance with policies and objectives set out in the County Development Plan and in accordance with the principles of proper planning and sustainable development.

With regard to the enforcement provisions of Part VIII of the Planning and Development Act 2000, the role of the planning authority is to undertake enforcement action where necessary with respect to non-compliance with conditions attached to planning permissions and the carrying out of non exempted development without the benefit of planning permission. Furthermore the planning authority has special control powers under current legislation pertaining to such areas as protected structures and tree preservation orders.

In addition, the planning authority will continue the practice of granting planning permission with the inclusion of conditions requiring levies and/or bonds to be paid to ensure compliance with the conditions of the permission.

12.5 Monitoring and Review

The Planning and Development Section of Wicklow County Council is the main section responsible for monitoring and implementing the development plan, mainly through the development management function. However, it is important to note that this plan co-ordinates the work and objectives of other key departments within the local authority, such as Enterprise, Community, Housing, Water Services, Roads and Transportation and Environment sections. In some cases, the body responsible for the implementation of certain plan objectives may be external, e.g. EPA, Irish Water, NTA, TII etc.

Many of the plans objectives are set within a longer timeframe, of 20 to 30 years, which may not be fully implemented over the lifetime of this development plan.

The Planning and Development Act 2000 (as amended) provides under:

Section 15(1) - that shall be the duty of a planning authority to take such steps within its powers as may be necessary for securing the objectives of the development plan, and

Section 15(2) - that the Chief Executive of the planning authority shall, not more than two years after the making of a development plan, give a report to the members of the planning authority on the progress achieved in securing the objectives referred to in subsection (1).

The Council will implement a Monitoring Programme for the likely significant effects (if unmitigated) of implementing the Plan. The details of this Programme are included in the SEA Environmental Report which accompanies the Plan.