



Draft Wicklow Town – Rathnew LAP Submission - Report

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15/11/2024

Wicklow County Council

County Buildings, Station Road, Whitegates, Wicklow, A67 FW96

Subject: LAP Submission – November 2024: Protection of Legal Right of Way, Environmental Considerations, and other issues.

Dear Sir/Madam,

As long-term residents of Tinakilly Avenue in Rathnew, we are writing to express our concerns regarding the Local Area Plan (LAP) submission scheduled for November 2024, particularly in relation to our legal right of way along Tinakilly Avenue which leads to the R750 at Rathnew Cemetery. This right of way is fundamental to our daily access, and we urge Wicklow County Council to ensure it is fully protected in any forthcoming developments.

1. Legal Right of way of residents on Tinakilly Avenue to R750

As long-term residents of Tinakilly Rathnew, we have a right of way along the entire avenue and up to the Rathnew cemetery and this right of way absolutely must be guaranteed at all times. Full and uninterrupted rights of access to our homes must be considered a red line issue by Wicklow County Council before the implementation of

any new LAP. Any interruption or attempted alteration of this right of way will be cause for legal action.

2. East Section of Tinakilly Avenue (Hotel Side).

The East (top) section of Tinakilly avenue, is set aside as carparking for the Tinakilly House events marquee as per **condition 4 of Planning Application: 19358 (Wicklow County Council)**. As the top section of Tinakilly avenue is considered “overflow carparking” by Wicklow County Council, it is irresponsible and dangerous to try use it as access for pedestrians and cyclists as indicated in **SL02 (LAP SL02 concept plan)** to and from any proposed future housing development. Tinakilly avenue is used as an access for residents, businesses, and local farmers. It is also a popular walking route for the communities of Rathnew and Wicklow Town. Any closing off of the avenue by use of gates or barriers to vehicular and pedestrian access to Tinakilly lane and to the Special area of conservation at broadlough (Murrrough SAC) is unacceptable. There will also be a public liability issue here for landowners arising from any extra access from new and proposed housing developments that in turn will allow increased usage and footfall on Tinakilly avenue from the R750 to broadlough. It is worth noting that as a result of a recent planning application by a developer, members of the community ran a “**Save Rathnew’s Tinakilly**” campaign. This resulted in awareness of what is happening in the area, to the detriment of this local priceless amenity. There is also a petition included in the submission to An Bord Pleanála and to WCC’s planning department with over 2000 signatories on it demanding that they protect Rathnew’s cultural heritage from being irreparably ruined by overzealous planners and developers.

3. It is commendable that the fairy tree is proposed to be protected in its original position, this shows that the planning authority has listened to the community of Rathnew and its insistence that the fairy tree is indeed of cultural significance to the community despite some developers “independent expert opinion” that it doesn't meet requirements to be

deemed culturally significant to our community. We would like to ensure the protection of the tree from future developments by the planning authority granting a tree preservation order on the fairy tree in its original location.

4. The protection of the mature trees that line Tinakilly avenue should be considered through tree preservation orders. These trees are approximately 200 years old and are original features of Tinakilly and are integral to the character of the area and as an irreplaceable ecological habitat for wildlife in the area. We must not leave these priceless trees at the mercy of developers and landowners.

5. The route for the Rathnew relief road (RIRR) is wholly unsuitable for the volume of traffic that is proposed will use it daily. To rely solely on one access and egress road to bring people to the M11 is shortsighted to say the least. Tinakilly residents will have to navigate an extremely busy road for access to Rathnew village center. As there are young and vulnerable people living up Tinakilly avenue, this will realistically lessen the likelihood of those residents cycling or walking to Rathnew as is currently our custom. This lowers our quality of life for the so-called benefit of extra traffic using this road. With the widening of the Rocky Road to make it suitable for higher traffic volumes and access to the M11 at junction 17, there is a perfect opportunity to bring traffic directly to the M11 without having to divert from the R750 at the always busy Broomhall junction onto the RIRR. In addition to the Rocky Road, the R751 from Wicklow town to junction 18 at the Beehive is an already active and useable alternative to move traffic on towards the M11 without shoving added volumes and adding congestion to Rathnew, the R750 and the ongoing traffic congestion at Aldi, Whitegates and broomhall each and every weekday at peak traffic times. The R750 through the village center will become a rat run for people to avoid traffic congestion along the so-called RIRR. This is highly likely to incentivise people to speed through the village center to avoid traffic jams. The **Rathnew village centre map** included in the LAP shows that the main R750 road through the village no longer runs directly to the M11. Instead, it seems to terminate at

or along the RIRR at a “T” junction. The residents of Rathnew and any traffic from there will have to navigate an extremely busy road with the whole of the Wicklow Rathnew area being funneled through to the M11 at junction 16. The planning authority needs to show how this LAP will not detrimentally affect the lives of the people who live in the village of Rathnew. They also need to show why this Rathnew “Relief” is being considered as the main access to the M11 when there are two extremely viable options already in existence, ie; the Rocky Road to M11 and the R751/Marlton Road from Wicklow main street to M11. They need to provide in greater detail (and not the dotted line vague examples on show during the public open day in county buildings) exactly how the new road layouts will look and function. The current prioritisation of the R750 solely to get into and out of Wicklow is not working, as proven each day by the gridlock at peak times in all directions. I implore the planning authority to use common sense and prioritise multiple routes to and from Wicklow town, Rathnew, and the M11.

6. The Green open space outlined in **Map 1 in the LAP** in Rathnew needs to be zoned to include actual usable land. Much of the Land around Rathnew, Tinakilly and Newrath that is to be zoned as “open space” is, in effect, flooded or wetland for much of the year as shown in **Map 2 in the LAP and** as indicated in the strategic flood risk analysis (**SFRA**). It appears to be a box ticking exercise by planners to include this as open space. Rathnew and the surrounding areas have been heavily developed in recent years and there is now a real lack of any usable green open spaces for the benefit of the community at large. In fact, there are comments from An Bord Pleanála in planning file 319137, that state that Rathnew has been over zoned. Those of us who live here can plainly see the over development of housing without proper infrastructure being in place is a sad reality happening in front of our eyes. We need more schools and school places to cater for those who now live here, we need more green spaces for outdoor activities, green space that is actually useable. The planning authority must address these issues and zone more land to lesser densities and as open space around the village of Rathnew.

7. The Murrough Special Area of Conservation (SAC) and Broadlough Special Protection Area (SPA) must be protected at all costs. This LAP is lacking in that regard. Giving little consideration to the impact that constructing higher density housing developments in proximity to the SAC and SPA will have on them. This is an ecological disaster in the making. We need to see clear information as to how SUDS and drainage solutions from developments in proximity to the SAC and SPA will be managed and maintained by either management companies or the local authority into the future to avoid pollution events and destruction of protected natural habitats. According to the Natura Impact Report in support of the AA for the Draft Wicklow Town-Rathnew Local Area Plan 2025, there is a likelihood of significant impact on the SAC and SPA due to the proposed zonings in this draft LAP.
8. The one-way system in place in Wicklow town should be retained but the parking along main street should be for disabled, child, family, and age friendly parking only. More on street EV charging stations should be provided also.

LAP Submission - Key Points

- **Legal Right of Way:**
 - Protection of residents' legal right of way on Tinakilly Avenue to the R750 at Rathnew cemetery is essential.
 - Full and uninterrupted access to homes will be vigorously defended by residents.
- **Parking Designation:**
 - The top section of Tinakilly Avenue is designated for hotel marquee parking (Planning Application 19358).
 - Overflow parking classification raises safety concerns for pedestrians and cycling if this area is proposed as access to housing developments.
- **Access Concerns:**
 - Tinakilly Avenue serves as a crucial access point for residents, businesses, and local agriculture.

- Closing off access to Tinakilly Lane or the Murrough SAC with barriers is unacceptable and poses liability risks for landowners.
- **Cultural Significance:**
 - Preservation of the fairy tree in its original location through a tree preservation order reflects community cultural values and the responsiveness of the planning authority.
- **Tree Protection:**
 - Mature trees along Tinakilly Avenue should be protected through tree preservation orders due to their age and ecological importance.
- **Traffic Management:**
 - The proposed Rathnew Relief Road is unsuitable for the anticipated traffic volume.
 - Alternative routes (Rocky Road and R751) should be considered to mitigate congestion and provide better access to the M11. This would also open new lands to the possibility of being zoned to meet housing needs for the future.
- **Village Traffic Impacts:**
 - R750 may become a shortcut for traffic avoidance, increasing speeding through the village center.
 - Current traffic routing needs to be reevaluated; the plan should show how it will not adversely impact residents.
- **Green Open Space Needs:**
 - Designated green spaces must consist of usable land; many areas currently categorized as "open space" are prone to flooding.
 - The planning authority should focus on increasing accessible green spaces for community benefit.
 - Lower density Zoning around the Village of Rathnew to allow for greater use of land for the community
- **Ecological Protection:**

- Strong protections for the Murrough SAC and Broadlough SPA are vital to prevent ecological harm from higher-density housing developments.
- Detailed plans to manage drainage and pollution from nearby developments must be provided.
- **Local Infrastructure Improvements:**
 - Retain the existing one-way traffic system in Wicklow Town.
 - Advocate for parking on Main Street to be designated for disabled, family, and age-friendly access only.
 - Increase the availability of on-street EV charging stations.
 - Ensure that all developments that meet LRD requirements must have childcare facilities on site

Thank you for considering our concerns. We look forward to seeing the planning authority acknowledge and address these significant issues in the upcoming Local Area Plan.

Sincerely,

Henry & Aoife Clarke

Seamus & Evelyn Ryan

David & Caroline O Neill