



Draft Blessington Local Area Plan Submission - Report

Who are you:	Agent
Name:	Ms Lesley McGuire
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Topic

Land Use Zoning / Specific Local Objectives / Land Use Zoning Map

Submission

This submission addresses a land parcel that is located alongside the N81 within the Town Boundary, is submitted as suitable for residential development and could be zoned for such development in the new local Area Plan in place of lands that have been zoned previously but have not been developed.

- No rationale is provided for the revision of the Settlement Boundary of the town. The settlement boundary of the current Local Area Plan should be re-adopted. Given the importance that is attached in both the county development plan and the draft Local Area Plan to the outer bypass, it is surprising to note that a large section of the bypass route falls outside the settlement boundary.
- The Development Plan Guidelines highlight the need to take stock of existing zoned land that has remained undeveloped before a new development plan is prepared. The draft Local Area Plan fails to provide evidence that this was done.
- Examination of the Specific Local Objectives demonstrates that no additional lands have been zoned in the new Local Area Plan that were not already zoned in the previous Local Area Plan but have remained undeveloped since 2013.
- The Local Area Plan does not provide any quantitative targets or capacities in relation to the zoned lands. The Local Area Plan fails to examine the reason why previously zoned lands have not been developed. In the absence of such development alternative approaches including zoning alternative lands, should be considered.
- The planning authority is requested to consider the subject site for rezoning given the commitment of the landowner to develop the land and given the location of the subject site within the route of the future bypass for the town.

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Submission Ms Lesley McGuire.doc, 2.16MB

Hendrik W van der Kamp, MScEng, FIPI, MIEI
Town Planner
1, Woodstown Court
Knocklyon
Dublin 16
Tel: 087 2020387 E-mail: hendrikwvanderkamp@outlook.com

**Submission to Draft Blessington Local Area Plan on behalf of Ms Lesley
McGuire**

November 2024

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1 Introduction

This submission is made in response to the invitation by Wicklow County Council to make submissions on the Draft 'Blessington Local Area Plan 2025'.

This submission is made on behalf of Ms Lesley McGuire, [REDACTED]
[REDACTED]

This submission addresses a land parcel that is located alongside the N81 within the Town Boundary, is submitted as suitable for residential development and could be zoned for such development in the new local Area Plan.

The landowner is committed to deliver housing development if the lands are zoned for residential development and subject to planning permission being granted. The lands are shown in fig. 1 below with a red line boundary outline. Given the need to avoid the zoning of lands that are likely to remain undeveloped, this land parcel can provide much needed housing for the town.

2 Lack of Rationale for the Revised Settlement Boundary

According to the written statement: *... "The plan relates to the lands within the settlement boundary of Blessington, see Map No.1."*¹ It is further stated: *... "All lands located outside the settlement boundary are considered to be within the rural area. Within the rural area planning applications shall be assessed having regard to the relevant objectives and standards set out in the Wicklow County Development Plan."*²

The question arises why the settlement boundary in the draft plan has been changed from the settlement boundary in the previous local Area Plan although the population of the town is projected to increase.

The revised settlement boundary is not explained anywhere in the Plan. The plan does refer to the lakeshore boundary and states that this is defined by the Poulaphouca Reservoir Special Protection Area: *... "the Poulaphouca Reservoir SPA immediately adjoins the plan area and purposefully demarcates the settlement boundary around much of the lakeshore."*³ But no other reference is made anywhere in the written statement to the re-drawing of the settlement boundary different to that of the current Local Area Plan.

As a consequence of the change in the settlement boundary, lands that were zoned in the previous Local Area Plan cannot now be considered in terms of zoning submissions if they are considered to fall under the policies of the County Development Plan and not the Local Area Plan. This applies to the subject site of this submission.

¹ *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 2.

² *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 61.

³ *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 53.

The Local Area Plan is deficient as no rationale is provided for the revision of the Settlement Boundary of the town. In the absence of such a rationale, the settlement boundary of the current Local Area Plan should be re-adopted.

3 Previously Zoned Lands Have Not Been Developed

The previous Local Area Plan for Blessington identified a number of areas for new housing development. These are lands with the zoning objective 'proposed residential'.⁴ Despite this positive zoning objective, only a small proportion of these lands were developed during the plan period of the existing Local Area Plan while for most of the lands planning permission has not even been achieved.

For example, lands at the northern edge of the built up area were identified as Action Area Plan lands 4. These lands (Roadstone Doran's pit) have not been developed despite having been zoned for new residential development since 2013. There is no guarantee that these lands will be developed in the new development plan period given the fact that no planning application was made during the lifetime of the previous Local Area Plan. Lands on the western side of the N81 have also not been developed and a decision to refuse planning permission was upheld by An Bord Pleanála as recently as June 2023.⁵

Lands to the northwest of the town centre near the GAA grounds were earmarked for residential development with access from a new inner relief road. Only part of this inner relief road has been built to date and no development on the zoned lands has taken place, although planning permissions for development have been granted.

Further lands that were zoned for residential development and earmarked as Action Area plan 1 to the west of the town, have also not been developed and no planning permission has been granted nor has the necessary access road been constructed.

Of the lands that were zoned for new residential development to the south of the town, only a small portion has been developed in the form of the Milltown Gate and the Burgage Castle developments. Most of the zoned lands have however not been developed.

It is noted that the Local Area Plan fails to examine the reason why previously zoned lands have not been developed. In the absence of such development alternative approaches including zoning alternative lands, should be considered.

⁴ *Blessington Local Area Plan 2013-2019*, Map 1 – Land Use Zonings.

⁵ Planning ref. 21/1396, appeal ref. ABP-31285-22.

4 Development Plan Guidelines are Applicable

The draft LAP states the following: *...“this Local Area Plan shall only include objectives that are area specific and achievable, and avoid those that are aspirational or are best dealt with in the annual budget, road works programme, etc. The role of land use plan is to put in place a framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies.”*⁶

Much of the privately owned land that was zoned for development in 2013 (more than ten years ago) has remained undeveloped. It is the purpose of the Local Area Plan to critically examine why these lands were not developed in order to propose zoning objectives that are ‘specific and achievable’. This has not been done.

Under Section 10.8 of the Planning Act: *...“There shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan.”*⁷ The same principle should apply to land zoned in a particular Local Area Plan.

This legal requirement that there shall be no presumption that any land zoned in a development plan shall remain zoned in any subsequent development plan, is reinforced in the Ministerial planning guidelines for development plans. The Development Plan Guidelines highlight the need to take stock of existing zoned land that has remained undeveloped before a new development plan is prepared: *...“The development plan review process is an opportunity to take stock of land already zoned for residential purposes or a mixture of residential and other uses. This must be set out in the plan core strategy. It is critical to note that Section 10(8) of the Planning Act makes it clear that there is no presumption in law that land zoned for any purpose in a development plan shall remain so zoned in any subsequent development plan.”*⁸ And: *...“It is also best practice that in cases where land is zoned and has remained undeveloped and unserviced through one or more development plan cycles, with no prospect of being serviced within the six-year life of the development plan that is under preparation, alternative approaches must be considered:- (i) alternative zoning objectives or (ii) discontinuing the objective (See Appendix A).”*⁹

While the above guidelines and statutory provisions are specifically in relation to Development Plans, it should be noted that the Blessington Local Area Plan, once adopted will form part of the Wicklow County Development Plan 2022 as varied. This is clear from the following variation of section 1.2 of the County Development Plan:

...“Separate Local Area Plans are in place, which will be reviewed after the adoption during the lifetime of this plan, for the following towns / areas: Bray Municipal District, Wicklow Town - Rathnew, Arklow, Greystones – Delgany - Kilcoole and Blessington.

⁶ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 1

⁷ Planning and Development Act, 2000 (as amended), Section 10.8.

⁸ Development Plans - Guidelines for Planning Authorities, June 2022, p. 47.

These Local Area Plans are reviewed and made under Sections 18, 19 and 20 of the Planning and Development Act, and as such do not form part of the County Development Plan and are subsidiary plans to this County Development Plan. However The CDP does provide the key parameters for these Local Area Plans such as the future population and housing targets and sets out the broad strategy for the future economic and social development of these towns. To ensure that the zoning and key development objectives of these LAPs clearly form part of this County Development Plan, the land use zoning and key development objectives maps are adopted by way of variation into the County Development Plan during the making of each LAP.”¹⁰

This proposed variation runs in parallel to the draft Local Area Plan and will be adopted at the same time as the Local Area Plan.

The Development Plan Guidelines highlight the need to take stock of existing zoned land that has remained undeveloped before a new development plan is prepared. The draft Local Area Plan fails to provide evidence that this was done.

5 Proposed Bypass for the Town

The need to provide a bypass for the town of Blessington is critical. The draft Local Area Plan states the following: ...”The N81 national secondary road passes directly through the town centre. It is intended to realign the current route of the N81 to the west of the town. The National Road Design Office has published a preferred route corridor for the N81 realignment between Tallaght and Hollywood Cross. There is a need to appropriately manage the development of lands located in the current route corridor for the N81 realignment. The development of this route and the completion of the town inner relief road, would contribute significantly to the enhancement of the overall quality of the town centre. In the short term the priority shall be the completion of the partly constructed inner relief road in conjunction with Kildare County Council.”¹¹

According to the County Development Plan for Wicklow, the National Roads Design Office has identified a preferred route option for the bypass. This bypass was also included as an objective in the previous Local Area Plan.¹²

Given the importance that is attached in both the county development plan and the draft Local Area Plan to the outer bypass, it is surprising to note that a large section of the bypass route falls outside the settlement boundary.

⁹ *Development Plans - Guidelines for Planning Authorities*, June 2022, p. 47.

¹⁰ Proposed Variation No. 3 to the Wicklow County Development Plan 2022-2028.

¹¹ *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 5

6 Core Strategy Population and Housing Targets

Blessington is a Level 3 settlement in the County settlement hierarchy – a ‘self-sustaining growth town’.¹³ The draft LAP states: *...”residential development objectives including land zoning provisions have been made on the basis of providing enough housing land to meet the prevailing Core Strategy population and housing targets set out in the County Development Plan at the time of adoption of the LAP.”*¹⁴

The draft Local Area Plan proposes to divide the housing land that is needed to accommodate the predicted housing need under the county development plan core strategy, into two categories¹⁵:

- Lands within the existing built up area: min. 30% no limit on the number of units
- Lands outside the existing built up area: max. 70%.

However, it is noted that the Local Area Plan does not provide any quantitative targets or capacities in relation to the zoned lands.

7 Specific Local Objectives

The draft Local Area Plan provides detailed information for a number of zoned lands in the form of Specific Local Objectives. These are examined below.

SLO1 – Lands zoned for residential development in this local opportunity area include amongst other uses 4.1 hectares of lands zoned RN2 ‘New Residential Priority 2’.¹⁶ However, these lands were already zoned in the 2013 Local Area Plan as Action Area Plan 1 and no planning permissions have been granted.

SLO2 – Lands zoned for residential development in this local opportunity area include amongst other uses 2.3 hectares of lands zoned RN2 ‘New Residential Priority 2’.¹⁷ However, these lands were already zoned in the 2013 Local Area Plan as Action Area Plan 1 and no planning permissions have been granted.

SLO3 – These lands don’t provide for residential development.

SLO4 – Lands (Doran’s Pit) zoned for residential development in this local opportunity area include 18 hectares of lands zoned a zoned MU ‘Mixed Use’.¹⁸ However, these lands were already zoned in the 2013 Local Area Plan as Action Area Plan 4 and no planning permissions have been granted.

¹² Wicklow County Development Plan 2022-2028, Chapter 12 – Sustainable Transportation.

¹³ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 4

¹⁴ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 1

¹⁵ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 8

¹⁶ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 66

¹⁷ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 67

¹⁸ Draft Blessington Local Area Plan 2025, Wicklow County Council, p. 67

SLO5 – Lands zoned for residential development in this local opportunity area include amongst other uses 5.6 hectares of lands zoned RN2 ‘New Residential Priority 2’.¹⁹ However, these lands were already zoned in the 2013 Local Area Plan as Action Area Plan 2 and no planning permissions have been granted.

SLO6 – Lands zoned for residential development in this local opportunity area include c.5.8 ha zoned MU ‘Mixed Use’ and c.3.6 ha zoned RN1 ‘New Residential Priority 1’. Consent appears to be in place for a Part 8 residential development of the RN1 lands for residential purposes.²⁰ These lands were already zoned in the 2013 Local Area Plan as Action Area Plan 3.

SLO7 – Lands zoned for residential development in this local opportunity area include 3.6 hectares of lands zoned RN2 ‘New Residential Priority 2’.²¹ However, these lands were already zoned in the 2013 Local Area Plan for new residential development and no planning permissions have been granted.

SLO8 – Lands zoned for residential development in this local opportunity area include c.3.6 ha zoned RN1 ‘New Residential Priority 1’.²² However, these lands were already zoned in the 2013 Local Area Plan for new residential development and only a small portion of the then zoned lands for new residential development were developed for housing. No planning permissions have been granted on the remaining lands.

Most of the lands that are included in the Specific Local Objectives in the Draft Local Area Plan, were previously zoned but have not been developed to date. There is no information to suggest that these lands will be developed during the period of the draft local area plan. This is a matter of concern in view of the statement that: *...“this Local Area Plan shall only include objectives that are area specific and achievable.”*²³

Examination of the Specific Local Objectives demonstrates that no additional lands have been zoned in the new Local Area Plan that were not already zoned in the previous Local Area Plan but have remained undeveloped since 2013.

8 Suitability of Subject Site for Residential Development

A land parcel that is located alongside the N81 within the Town Boundary, is submitted as suitable for residential development and could be zoned for such development in the new local Area Plan. Given the need to avoid the zoning of lands that are likely to remain undeveloped, this land parcel can provide much needed housing for the town. The landowner is committed to deliver housing development if

¹⁹ *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 66

²⁰ Planning ref. 21/1404

²¹ *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 66

²² *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 66

²³ *Draft Blessington Local Area Plan 2025*, Wicklow County Council, p. 10

the lands are zoned for residential development and subject to planning permission being granted.

The lack of delivery of housing development on zoned lands during the lifetime of the previous Local Area Plan, is a matter of concern. The planning authority is requested to consider the subject site for rezoning given the commitment of the landowner to develop the land and given the location of the subject site within the route of the future bypass for the town.

9 Conclusion

- **No rationale is provided for the revision of the Settlement Boundary of the town. The settlement boundary of the current Local Area Plan should be re-adopted. Given the importance that is attached in both the county development plan and the draft Local Area Plan to the outer bypass, it is surprising to note that a large section of the bypass route falls outside the settlement boundary.**
- **The Development Plan Guidelines highlight the need to take stock of existing zoned land that has remained undeveloped before a new development plan is prepared. The draft Local Area Plan fails to provide evidence that this was done.**
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- **The Local Area Plan does not provide any quantitative targets or capacities in relation to the zoned lands. The Local Area Plan fails to examine the reason why previously zoned lands have not been developed. In the absence of such development alternative approaches including zoning alternative lands, should be considered.**
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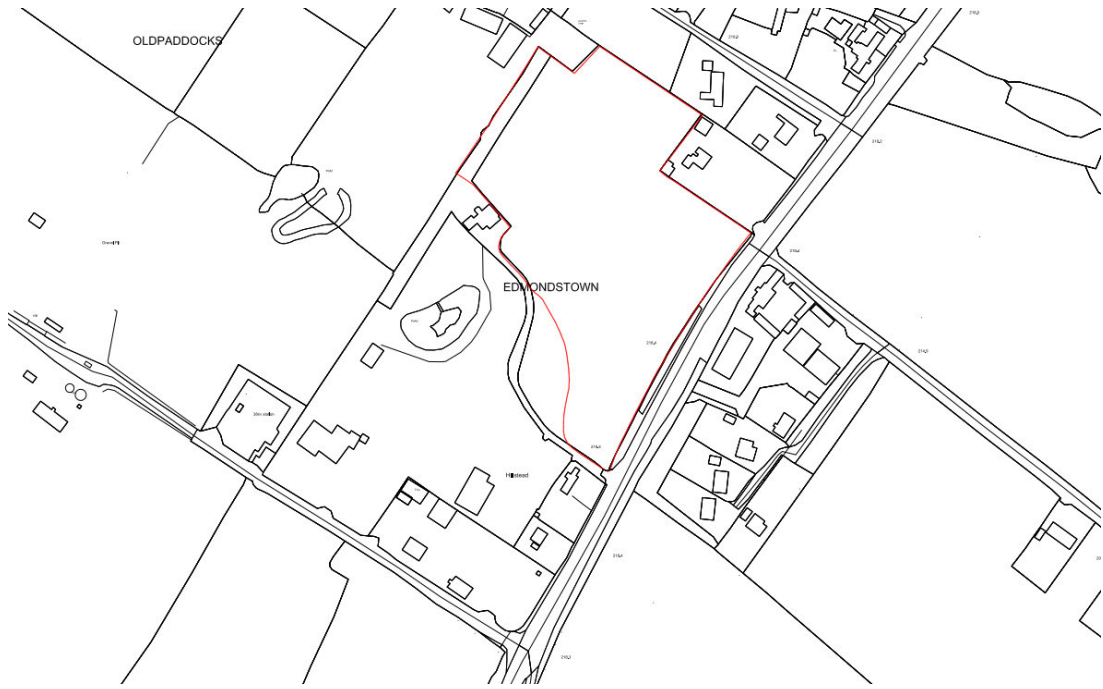


Fig. 1 – Subject Site

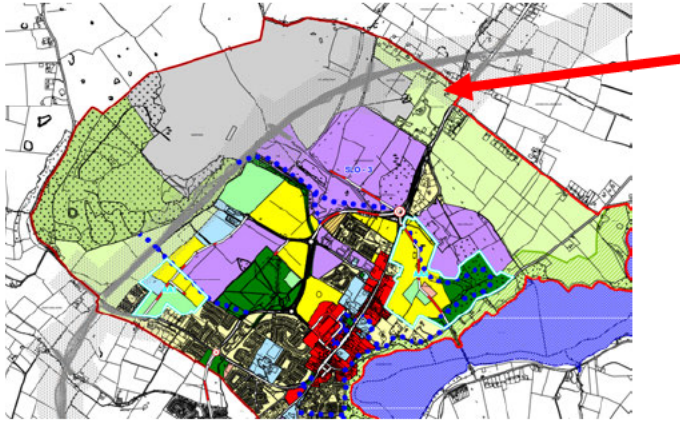


Fig. 2 –Subject Site in relation to the development boundary of the 2019 LAP

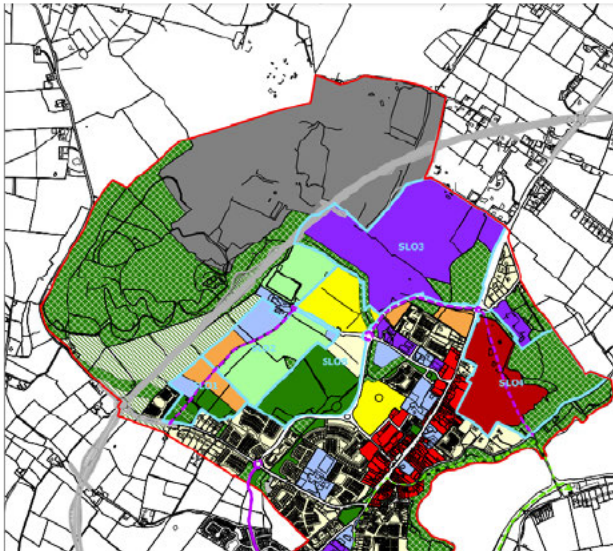


Fig. 3 – Proposed development boundary of the draft 2025 LAP