

Planning, Development & Environment Strategic Policy Committee
Minutes of meeting held on 23rd February, Wurzburg Room, County
Buildings, Wicklow.

Present:

Cllr Edward Timmons, Cllr Sylvester Bourke, Cllr John Mullen, Cllr Shay Cullen, Tessa Steward, Michael Byrne, Cllr. Gerry O'Neill.

Apologies:

Cllr Pat Glennon, Cllr John Mullen, Jim Wood.

In attendance (WCC):

Breege Kilkenny, Director of Services; Jackie Carroll, Senior Executive Officer; Marc Devereux, Senior Engineer; Joanne O'Dowd, Senior Executive Engineer; Graham Cullen, Executive Engineer; Fergal Keogh, Senior Engineer; Sorcha Walsh, Senior Planner;

Item 1 Adoption of minutes of meeting held on 14th December 2023 & Matters Arising

The minutes of the meeting held on 14th December were proposed by Cllr. Sylvester Bourke and seconded by Cllr. Shay Cullen. There were no matters arising.

Item 2 For noting - Local Government Act 2001: Ethical Framework for Local Government Service

The Members were reminded of the requirement to comply with the Ethical Framework for Local Government and Code of Conduct, previously circulated.

Item 3 Update on Harbours and Port Management

The members received a comprehensive presentation from Joanne O'Dowd, Senior Executive Engineer on harbour projects in 2023 and future projects in Wicklow and Arklow Harbours.

A discussion on dredging at Wicklow Harbour ensued and it was noted that bed levelling will take place in 2024, which will achieve at least 1 metre space in the harbour. The members were advised that an application is being made for Dumping at Sea. The members were assured that there are no implications for bathers in Arklow.

The allocation of the new fishers huts was discussed and it was noted that those who owed harbour dues/fees would not be considered for allocation. There are a number of fishers whose cases have been referred to the Legal Department. The containers will be removed subsequent to allocation.

Item 4 Update on National Waste Management Plan for a Circular Economy

The members received an update on the National Waste Management Plan for a Circular Economy from Marc Devereux, Senior Engineer.

It was noted that the Regional Waste Management Planning Officer had presented the draft plan to the full Council in June. The Chief Executive signed an order on 21st February to adopt the National Waste Management Plan for a Circular Economy for Wicklow County Council and it will be officially launched on 1st March.

Item 5 Update on Local Area Plans

Updated provided by Sorcha Wash, Senior Planner. Plans to be drafted in order below;

1. Wicklow- Rathnew
2. Greystones –Delgany & Kilcoole local area plans
3. Blessington Local Area Plan
4. Arklow and Environs local area plan

Pre-draft consultation is currently underway. Staff dedicated to public consultation. Workshops being held in districts.

No scope to change population targets in local plan only through county development plan. Review of national planning framework currently underway. If change proposed would lead to variation of county development plan.

Are people in direct provision included in population targets.

Query regarding Cairns court case

Core strategy in development plan sets out development plan. Wcc must comply with this. Numbers will be exceeded in Blessington so CE has started process to materially contravene the County Development plan.

Item 6 Short Term Lettings

The Residential Tenancies (Amendment) Act 2019 is the regulation under which Wicklow County Council regulates Short Term Lettings. The Cathaoirleach advised that he had specific issues with the implications of application of the regulations, stating that it had a significant negative impact on tourism in the County. He also noted that onerous conditions were being applied under planning permissions, with one constituent asked to pay €3000 development levy and having to draft up legal agreement.

Cllr Bourke noted that one person in rural Aghrim can't get long term tenants and would like to try AirBnb but is unsure regarding planning permission.

The members were advised that the County Development Plan directs accommodation to settlements. The policies are in place to protect the outdoors and amenities which is Wicklow's biggest asset in relation to tourism. Other policies support rural diversification. In majority of cases for existing structures or farm buildings planning applications are granted. In terms of contributions change of use to commercial is intensification of use and contributions will apply. In terms of legal conditions it's a development plan objective that tourism development has to be in single ownership and can't be used for more than 4 weeks ie it doesn't turn into permanent accommodation. Least restrictive condition that can be used. Some discussion ensued regarding interpretation of 'intensification of use'. All residential developments changed to commercial use is seen as intensification of use.

Cllr Cullen noted that there had been a recent escalation in people contacting councillors regarding Short Term Lettings and questioned the wisdom of Wicklow County Council in seeking out persons operating.

The members were reminded that Wicklow County Council has a statutory obligation under the legislation to do so. A team is funded by the Department to implement this legislation.

The Council is actively monitoring the website, looking for entire houses that should be in permanent use, particularly in big towns. The goal is to bring these back into the long term letting market. More than half of the units coming across are ad hoc chalets in back gardens, which are completely unregulated. There are 600 properties listed in Wicklow and the Council has interacted with approximately 300 of these. They need to be regulated.

In response to a query from Cllr. Cullen regarding the housing crisis, the members were advised that the point of the legislation is to bring houses back into long term use and the Council cannot support unauthorised development.

The Council works directly with the people affected to bring them through the process and assist in regularising the issue - there are only 13 enforcement cases ongoing.

It was noted that further legislation has been drafted which will change how the matter will be dealt with, with the addition of Bord Failte registration, which will not be forthcoming if planning permission is required.

Any Other Business

- Restructuring of Directorates

As this is the last meeting of this Planning Development and Environment SPC due to the restructuring of the Directorates and the elections in June, Breege Kilkenny thanked all the members for their commitment and work over the last 5 years. She wished the elected members well in the forthcoming elections.

The Cathaoirleach and members paid tribute to the staff for their work with the members of the SPC.