



7<sup>th</sup> October 2025

For the Attention of: Ms Emer O’Gorman, Chief Executive

Wicklow County Council  
County Buildings  
Whitegates  
Wicklow Town  
County Wicklow  
A67 FW96

**Section 31 of the Planning and Development Act 2000 –  
Decision to Issue a Direction to Wicklow County Council regarding the  
Wicklow Town-Rathnew Local Area Plan 2025-2031**

Dear Emer,

I am writing to inform you of the following in relation to the section 31 draft Direction that issued to Wicklow County Council on 19<sup>th</sup> June 2025, and the subsequent consideration by the Office of the Planning Regulator (‘the Office’) of your report in connection with the *Wicklow Town-Rathnew Local Area Plan 2025-2031*, as adopted by the elected members of Wicklow County Council on 12<sup>th</sup> May 2025.

The draft Direction, as issued in June, can be summarised as follows:

- Part 2(a) – Delete three identified material alterations from the adopted Local Area Plan, such that the subject lands revert to as indicated in the draft Local Area Plan.

The Office notified the Minister pursuant to section 31AP(4) of the Planning and Development Act 2000 (‘the Act’) on 27<sup>th</sup> August 2025 and recommended that I, as Minister, issue the Direction.

A copy of the notice letter and proposed final Direction was submitted to me, as Minister, by the Office along with a copy of your Chief Executive’s Report on the draft Direction, prepared under section 31(8) of the Act.



Accordingly, having reviewed and considered the Office of the Planning Regulator's notice letter, your report of 7<sup>th</sup> August 2025 on the draft Direction and submissions received, I am of the opinion that the Direction should be issued in line with the recommendations of the Office and your report. In the above regard, I refer you to the Statement of Reasons set out in the enclosed Direction.

The Direction as issued incorporates minor descriptive amendments which are not material in nature and do not alter the substance of the Office's recommended direction but provide additional clarity in order to aid its interpretation.

For the avoidance of doubt, I also wish to confirm that at the time of my decision I was cognisant of the following matters:

- Part of the "MA 20B" lands were outside the SLO 3 boundary as delineated at draft stage.
- The "MA 38" lands were wholly outside the SLO 3 boundary as delineated at draft stage.
- OS2 zoning is titled "Natural Areas".
- Proposed MA No.42 to the Local Area Plan amended certain zoned lands from OS1 to OS2 zoning.

In reaching my decision to issue the Direction, I have noted your recommendations as Chief Executive under section 31(9) of the Act. I further note the Office's consideration of, and response to, those matters in its subsequent recommendation to me, as Minister, under section 31AP(4) of the Act.

Accordingly, Wicklow County Council should **TAKE NOTICE** that on 7<sup>th</sup> October 2025 I have issued a Direction pursuant to section 31 of the Planning and Development Act 2000 (as amended). Pursuant to section 31(17) of the Act this Direction is deemed to have immediate effect and its terms are considered to be incorporated into the plan. A copy of this Direction is enclosed.

In light of the foregoing, Wicklow County Council is required, pursuant to section 31(2) of the Planning and Development Act 2000 to comply with this Direction so as to rectify the matter in a manner that, in my opinion, will ensure that *Wicklow Town-Rathnew Local Area Plan 2025-2031* sets out an overall strategy for proper planning and sustainable development and meets the requirements of the Act.



The Council should ensure that the Direction is available for inspection at its offices and on its website.

My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,

John Cummins TD

Minister of State for Local Government and Planning

Copied to:

- Cathaoirleach, Wicklow County Council, County Buildings, Whitegates, Wicklow Town, County Wicklow, A67 FW96.
- Director, Eastern and Midland Regional Assembly, 3rd Floor North, Ballymun Civic Centre, Main Street, Ballymun, Dublin 9, D09 C8P5.
- Office of the Planning Regulator, Park House, Grangegorman, 191-193A North Circular Road, Dublin 7, D07 EWW4.

**DIRECTION IN THE MATTER OF SECTION 31**  
**OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**  
**Wicklow Town-Rathnew Local Area Plan 2025-2031**

"Local Area Plan" means the Wicklow Town-Rathnew Local Area Plan 2025-2031 (as made).

"Development Plan" means the Wicklow County Development Plan 2022-2028.

"Planning Authority" means Wicklow County Council.

"RSES" means the Regional Spatial and Economic Strategy for the Eastern and Midland Region.

"NPF" means the National Planning Framework First Revision (2025).

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) ("the Act") and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2025 (S.I. No. 364 of 2025), and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AP(4) of the Act, hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Wicklow Town-Rathnew Local Area Plan 2025-2031) Direction 2025.
- (2) The Planning Authority is hereby directed to take the following steps with regard to the Local Area Plan:
  - (a) Delete the following Material Alterations from the adopted Local Area Plan:
    - (i) **MA 20B,**
    - (ii) **MA 38,**
    - (iii) **MA 41,** and;
  - (b) in the cases of MA 20B and MA 38, apply the 'Changes Consequent' recommended by the Wicklow County Council Chief Executive at pages 42 and 43 of the section 31(8) report on the draft Direction *i.e.* the subject lands are each zoned Natural Areas (OS2), and;

- (c) in the case of MA 41, apply the "Chief Executive's recommendation" as recommended by the Wicklow County Council Chief Executive at page 44 of the section 31(8) report on the draft Direction *i.e.* the subject land is zoned Natural Areas (OS2).

## STATEMENT OF REASONS

- I. The Local Area Plan includes material alterations to the draft Local Area Plan to change the zoning of the land to New Residential – Priority 1 (RN1) (MA 38), and Employment (E) (MA 41) located in Flood Zone A and B where the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) ("Flood Guidelines"), issued under section 28 of the Act, indicate that such uses are not appropriate unless a Justification Test is passed. The material alterations are therefore inconsistent with RPO 7.12 of the RSES to avoid inappropriate development in areas at risk of flooding in accordance with the Flood Guidelines, and Policy Objective CPO 14.06 of the County Development Plan to implement the Flood Guidelines.
- II. The Local Area Plan includes material alterations to the draft Local Area Plan to zone land for residential and employment development in areas of environmental and biodiversity sensitivity (MA 20B, MA 38 and MA 41), including land within the floodplain and in close proximity to a watercourse (MA 38 and MA 41), and adjacent to The Murrough SPA and The Murrough Wetlands SAC and the Broad Lough (MA 41).

Furthermore, a complete, precise and definitive finding and conclusion has not been reached that there would be no risk of adverse effects on the integrity of The Murrough SPA and The Murrough Wetlands SAC, and reasonable scientific doubt remains as to the adverse effects of development facilitated under the Employment (E) zoning objective on the European sites in question (MA 41).

The material alterations are therefore inconsistent with RPO 7.16 of the RSES, and Policy Objectives CPO 13.3, CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.7, and CPO 17.26 of the County Development Plan.

- III. The Local Area Plan has not been made in a manner consistent with, and has failed to implement, recommendations of the Office of the Planning Regulator under section 31AO of the Act.
- IV. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area contrary to the requirements of section 19(2) and section 20(5)(a) of the Act.
- V. The Local Area Plan as made is not consistent with the objectives of the RSES, contrary to section 19(2) of the Act.
- VI. The Minister is of the opinion that the Local Area Plan as made is not consistent with National Policy Objectives 52, 78, 85 and 87 of the NPF.
- VII. The Minister is of the opinion that the Local Area Plan fails to set out an overall strategy for the proper planning and sustainable development of the area.
- VIII. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

A handwritten signature in black ink, appearing to read 'John Cummins', with a horizontal line underneath.

John Cummins TD

Minister of State for Local Government and Planning

7<sup>th</sup> October 2025