An Taisce
The National Trust for Ireland

20140203-27-V4

Leonora Earls
Planning and Development
Wicklow County Council
County Buildings
Wicklow

03.02.14

Re: **Submission to Wicklow County Council on the Wicklow County Development Plan 2010-2016 - Proposed Variation No. 4**

Ms Earls,

Thank you for referring the above to An Taisce for comment. We would like to make the following comments which we request the Planning Authority (PA) take into consideration in the finalisation and adoption of the CDP, including the accompanying Strategic Environmental Assessment (SEA) and Article 6 Habitats Directive Assessment (HDA).

We would also request that the PA make An Taisce known of any further consultation periods regarding the making of this CDP and issue An Taisce with notification of any future proposed amendments to the Draft CDP and notification of the final adopted CDP.

Yours sincerely,

Tomás Bradley
Planning & Environmental Policy Officer
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Submission to Wicklow County Council on the Wicklow County Development Plan 2010-2016 Proposed Variation No. 4

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1.0 Variation 4.3

While understanding the nature and reasoning for the variation, it should be noted the Department of Environment, Community and Local Government has published a draft document for revisions to the *Wind Energy Development Guidelines (2006)* with a submissions deadline of 21st February 2014[1]. It is a targeted review of noise, proximity and shadow flicker. Until such time as new guidelines have been decided the appropriateness of such a policy has to be fully considered, given the revised guidelines could supersede policy of the CDP making this variation superfluous.

It is stated in the draft revisions in relation to noise:

> *Because of the lack of correlation between separation distance and wind turbine sound levels, the use of a defined setback of turbines from noise sensitive properties to control noise impacts is not considered appropriate.*

It is stated in the draft revisions in relation to shadow flicker:

> *At distances greater than 10 rotor diameters, the potential for shadow flicker is extremely low, and accordingly this distance should determine a study area for the purposes of modeling the impact of potential shadow flicker. Every dwelling or other affected property within the 10 rotor diameter radius from each individual turbine should be included in the flicker study area.*

It is stated in the draft revisions in relation to exceptions to setback:

> *An exception may also be provided to the minimum 500m setback for amenity purposes, where the owner(s) of the relevant property or properties are content for the proximity of turbines to be less than the minimum setback. As with noise limits above they must provide written confirmation to the satisfaction of the planning authority that they have agreed to a reduced setback and have no objection to the proposed wind energy development.*

2.0 Clarity and Simplicity in Use of Language

An Taisce asks that the PA review the development plan variations before final adoption to ensure conciseness, clarity and simplicity in use of language, and that planning terms be explained in an appending glossary. The excessive flexibility inherent in many CDPs is a key factor in the long delays experienced in the planning process. This flexibility is evidenced both vagueness and by 'let-out' clauses which causes interpretation problems for the developer, the Councillors, the public, and even the officials.

[1] http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/FileDownLoad,34769,en.pdf