

WEXFORD COUNTY COUNCIL

**Minutes of Special Meeting of Wexford County Council
Held Monday 6 September, 2021 at County Hall, Wexford at 5.30pm**

Attendance:

In the Chair: Cllr. Barbara Anne Murphy, Cathaoirleach

Councillors:

BARDEN	PAT				
BELL	MAURA	FARRELL	MARY		
BOLGER	ANDREW	FLEMING	JOHN		
BREEN	PIP	FORDE	TOM	O'ROURKE	JOHN
BROWNE	AIDAN	HEGARTY	JOHN	O'SUILLEABHAIN	FIONNTAN
BYRNE	CATHAL	HYNES	DAVID	OWENS	JACKSER
		KAVANAGH	WILLIE	SHEEHAN	MICHAEL
CODD	JIM				
CODD-NOLAN	KATHLEEN			SULLIVAN	JOE
CONNICK	ANTHONY	LAFFAN	GARY	WALSH	OLIVER
DEVEREUX	DIARMUID	LAWLOR	GEORGE	WHELAN	MICHAEL

Officials:

- Mr. T. Enright, Chief Executive
- Mr. T. Larkin, Director of Services
- Mr. E. Hore, Director of Services
- Ms. A. O'Neill, Head of Finance
- Ms. A. Byrne, A/Director of Services
- Ms. C. Godkin, A/Director of Services
- Mr. D. Minogue, County Secretary
- Mr. D. Houston, Senior Planner
- Ms Sinead Casey, Senior Engineer
- Ms. E. Hore, Senior Executive Officer
- Ms. D. Kearns, Senior Executive Planner
- Ms. Pauline Doyle, Executive Planner
- Ms. F. Fenlon, Assistant Planner
- Mr. Graham Hunt, Executive Planner

Oireachtas Members: Deputy Verona Murphy

Public: A number of members of the public attended the meeting

Apologies: Cllrs G. Carthy, A. Donohoe, L. Kelly, D. Kenny, L. McDonald, J. Moore, B. Murphy, , F. Staples

The Cathaoirleach welcomed all to the meeting, the purpose of which was to continue the process of consideration of the Draft Wexford County Development Plan 2021-2027 and Chief Executive's Report on the Submissions and Observations received on same.

The Members considered each of the following Motions:

The following Motion was proposed by Cllr. L. Kelly and seconded by Cllr. D. Hynes at the previous meeting earlier in the afternoon.

2.1 *With regard to old post boxes in Wexford Town (NIAH references below) and the Chief Executive's recommendation to not add these to the Record of Protected Structures, I propose that we do not accept this recommendation and that these post boxes are added to the Record of Protected Structures.*

Old Post Boxes:

- ***O'Hanrahan's Station (15500035)***
- ***Spawell Road (15500024)***
- ***North Main Street (15503093)***
- ***School Street (15502161)***
- ***St John's Road (15502091)***
- ***John Street Upper (15502127)***
- ***Maudlintown (15509004)***
- ***Barrack Street (15505081)***
- ***Kevin Barry Street (15505087)***
- ***Trinity Street (15505102)***
- ***Distillery Road (15507023)***

Following advice from the Senior Planner recommending against the Motion, a counter motion was proposed by Cllr. C. Byrne and seconded by Cllr. O. Walsh to the effect that the old post boxes were not be listed on the record of proposed structures.

The counter-proposal was put the Meeting and the following was the outcome of that vote:

Special Planning Meeting of WCC Monday 6 September, 2021 – Counter Proposal to Motion 2.1								
BARDEN	PAT	F	FARRELL	MARY	A	MURPHY	BARBARA-ANNE	F
BELL	MAURA	A	FLEMING	JOHN	F	MURPHY	BRIDIN	AB
BOLGER	ANDREW	F	FORDE	TOM	A	O’ROURKE	JOHN	A
BREEN	PIP	F	HEGARTY	JOHN	A	O’SUILLEABHAIN	FIONNTAIN	A
BROWNE	AIDAN	F	HYNES	DAVID	A	OWENS	JACKSER	A
BYRNE	CATHAL	F	KAVANAGH	WILLIE	F	SHEEHAN	MICHAEL	F
CARTHY	GER	AB	KELLY	LEONARD	AB	STAPLES	FRANK	AB
CODD	JIM	A	KENNY	DONAL	AB	SULLIVAN	JOE	F
CODD-NOLAN	KATHLEEN	F	LAFFAN	GARY	AS	WALSH	OLIVER	F
CONNICK	ANTHONY	F	LAWLOR	GEORGE	A	WHELAN	MICHAEL	F
DEVEREUX	DIARMUID	F	MCDONALD	LISA	AB			
DONOHUE	ANTHONY	AB	MOORE	JIM	AB			
F = For, A = Against, AB = Absent, AS = Abstain								

The Cathaoirleach declared the outcome of the vote as 15 FOR, 10 AGAINST, 1 ABSTAIN and the counter motion was deemed carried.

2.11 To amend the following section of Table 4.5 Indicative Densities and Scale:

Levels 1-2 in the Settlement Hierarchy on pages 87-90 in the Chief Executive’s Report as follows:

Provision for Lower Densities in limited cases:

To facilitate a choice of housing types within areas, limited provision may be made for lower density schemes of a minimum of 20 units per hectare provided that, within a neighbourhood or district as a whole average, densities achieve the densities mentioned above.*

This Motion was amended at an earlier meeting that afternoon and the above subsequent amendment was sought to clarify that the density applies to Level 1 and 2 settlements only. The Motion was proposed by Cllr. J. Hegarty, seconded by Cllr. J. Fleming and agreed.

2.2 With regard to the structures listed below and the Chief Executive’s recommendation to not add these to the Record of Protected Structures, I propose that we do not accept this recommendation and that these structures are added to the Record of Protected Structures.

- ***Old Fountain at Upper John Street (NIAH Ref. 15502113)***
- ***The Trough at Davitt Road North/Wygram (NIAH Ref. 15502063)***
- ***The Swan, The Faythe (NIAH Ref. 15505088).***

Proposed by Cllr. M. Ball, seconded by Cllr. D. Hynes and agreed.

3.4 To amend the Energy Strategy as follows:

- 1. Amend text on page 5-6 in Section 1.5 Strategic Environmental Assessment and Appropriate Assessment as follows:**

The Energy Strategy has been subject to Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) as part of the Pre-Draft Wexford County Development Plan 2021-2027. The full SEA and AA are contained in Volumes 12 and 13 of the Pre-Draft Wexford County Development Plan 2021-2027.

Delete the first two paragraphs in Section 5.4 How the SEA Informed the Wind Energy Strategy on page 61.

- 2. Amend Chief Executives recommendations CE V10.6 and CE V10.8 in the Chief Executive's Report Book 5 as follows:**

CE V10.6 *Amend last column of Table 5 to reflect 70% RES-E rather than 53.8%, page 24. The final Plan will include the breakdown of the figures for each of the renewable energy types.*

CE V10.8 *Amend last column of Table 6 to reflect 70% RES-E rather than 53.8%, page 25. The final Plan will include the breakdown of the figures for each of the renewable energy types.*

- 3. Amend text on page 106-107 in Section 7.1 Marine Renewables as follows:**

The Framework Directive for Maritime Spatial Planning (Directive 2014/89/EU) was transposed into Irish Law through Part 5 of the Planning and Development (Amendment) Act 2018 and requires that a Maritime Spatial Plan for Ireland must be in place by 2021.

This plan, known as the National Marine Planning Framework (NMPF) in Ireland, is a 20-year plan for the country's maritime areas. It provides the over-arching framework for marine decision-making that is consistent, evidenced based and secures a sustainable future for our country's marine area. It contains a series of overarching policies over environmental, social and economic themes, and provides sectoral policies for 16 sectors ranging from renewable energy, aquaculture, port, harbours and shipping to tourism and defence.

The NMPF is a parallel document to the National Planning Framework, which guides terrestrial planning and development.

The Maritime Area Planning Bill 2021 also seeks to establish a coherent and comprehensive marine planning system to manage development and activities in Ireland's seas. It will establish in law a new planning regime for the maritime area. It will replace existing State and development consent regimes and streamline arrangements on the basis of a single consent principle, i.e. one State

consent (Maritime Area Consent) to enable occupation of the Maritime Area and one development consent (planning permission), with a single environmental assessment. This legislation is designed to work for all types of development – from the smallest structures to the largest offshore windfarm proposal and will be critical to ensuring Ireland meets its ambitious offshore renewable targets.¹

¹ <https://www.gov.ie/en/press-release/eef3c- taoiseach-and-ministers-launch-national-marine-planning-framework-and-publish-maritime-area-planning-bill/>

- 4. Amend all references in the Energy Strategy to reflect the recommended amendments to the Settlement Hierarchy in the Chief Executive’s Report Book 1 and amend Maps 5,6 and 14 accordingly. This will include providing appropriate exclusion zones around these settlements where appropriate in the changing the ‘open for consideration’ areas for both wind and solar energy development.***
- 5. Amend Map 6 to exclude Designated Sites and Distinctive Landscapes from the Area Open for Consideration for Solar Farms.***

Proposed by Cllr. BA Murphy, seconded by Cllr. P. Breen and agreed.

- 2.6 To amend the Chief Executive’s Recommendation, CE OPR 19, on page 91-92 of the Chief Executive’s Report relating to the definition of Category A Housing for Persons with a Demonstrable Social Functional Rural Housing need to live in Structurally Weak Rural Areas as follows:***

A person building a dwelling house as their permanent place of residence and who has not previously owned a rural house. (See Point 4 in Definitions and Notes regarding owning a rural house). The person can work from home or commute to work daily.

This Motion was amended at an earlier meeting in the afternoon and the above subsequent amendment was sought to remove the seven year requirement which was inconsistent with the earlier amendment which removed the local rural area from structurally weak areas. The Motion was proposed by Cllr. J. Fleming and seconded by Cllr. P. Breen and agreed.

- 3.2 We propose that draft county development plan be amended to provide for general densities in the range of 20 to 50 per hectare, and under 20 to be discouraged and that the executive draft the appropriate amendments to the core strategy to give effect to this amendment.***

The Motion had been deferred from the meeting earlier that afternoon. Following discussion, it was agreed to amend the Motion as follows:

Provision for Lower Densities in limited cases:

To facilitate a choice of housing types within areas, limited provision may be made for lower density schemes of a minimum of 20 units per hectare, provided that within a neighbourhood or district as a whole, average densities achieve the densities mentioned above.

The amended Motion was proposed by Cllr. M. Farrell, Cllr. P. Barden, Cllr. Jackser Owens, Cllr. Leonard Kelly, Cllr. John O'Rourke, Cllr. David Hynes, Cllr. Anthony Connick and agreed by all.

- 2.15 ***To amend the Chief Executive's Recommendation reference CE OPR 19 relating to the definition of Category B Housing for Persons with a Demonstrable Economic functional need in the Strong Urban Influence Rural Area, the Stronger Rural Area and the Structurally Weak Rural Area Types on pages 91 – 93 of the Chief Executive's Report by adding the following text to the definition:***

Functional economic need will also be related to persons who are working in that particular local rural area in a non-rural resource-based activity where such employment is full-time and permanent. The applicant must be able to provide documentary evidence that the employment is full-time and permanent.

The Motion had been deferred from the meeting earlier that afternoon. The Motion was withdrawn by Cllr. M. Whelan.

The following Motion was then proposed by Cllr. M. Sheehan:

That this Council adopts the recommendation of the Chief Executive as set out in the Chief Executive's Report on the Draft Development Plan, as amended and modified by the Elected Members at its meetings held to discuss that draft development plan and accompanying Chief Executive's Report.

The Motion was seconded by Cllr. J. Hegarty and agreed by all.

Tony Larkin advised that the planning authority must consider under Section 12(7)(aa) whether a Strategic Environmental Assessment or Appropriate Assessment or both such assessments of the Material Amendments is required. He advised that having considered the Material Amendments contained in the Chief Executive's Report and those passed to date he recommended that the Council make a determination that these assessments are required.

He advised that the Chief Executive will make a determination on how long this will take (under Section (12)(7)(ab)).

The making of this determination was proposed by Cllr. M. Sheehan and seconded by John Hegarty and agreed.

THIS CONCLUDED THE BUSINESS OF THE MEETING

Daingithe ar an lá de Deireadh Fomhair, 2021.

Cllr. BA Murphy
Cathaoirleach

David Minogue
County Secretary