Outlook

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Submission – Emerging Preferred Route (EPR), Wicklow to Greystones Greenway (Clonmannon)

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Dear Sir / Madam,

Please find attached my submission in response to the non-statutory public consultation on the Emerging Preferred Route (EPR) for the Wicklow to Greystones Greenway.

This submission relates specifically to the proposed alignment in the Clonmannon area and addresses issues of land ownership and access, safety and standards compliance, flood risk and water quality, Appropriate Assessment, policy alignment, and deliverability.

I would be grateful if you could confirm receipt of this submission. Please do not hesitate to contact me should any clarification be required.

Kind regards,

[redacted]

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[redacted]

Non-statutory public consultation – Emerging Preferred Route (EPR)

Wicklow to Greystones Greenway

Submitted by: [redacted]

Address / Landholding:

[redacted]

Date: 09/02/2026

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Executive Summary

This submission concerns the proposed Wicklow to Greystones Greenway routes insofar as they affect the former Clonmannon Estate and adjoining agricultural and residential lands, including lands comprised in [redacted]

While we support the principle of sustainable active-travel infrastructure, **we object to the inland route options and, in particular, to the Emerging Preferred Route (EPR)** as presented for the Clonmannon area. In this location, **the EPR does not constitute a materially new solution**, but substantially replicates the alignment of earlier inland options D1 and E1, **introducing a permanent public corridor through private agricultural land and along a privately owned estate avenue.**

Key issues

1) Private ownership and access rights

The proposed alignment relies **on** [redacted] **a privately owned access road subject to restricted rights of way** limited to estate homeowners. **There is no public right of passage, no dedication as a public road, and no established historic public use.** Beyond the avenue, the EPR continues across private land where no road or access infrastructure exists. **Delivery therefore requires new public infrastructure on private land and unavoidable land acquisition.**

2) Standards, safety, and deliverability

No evidence has been provided to demonstrate that the Emerging Preferred Route can comply with applicable design standards for a shared-use greenway within a constrained private access environment that must continue to accommodate residents, visitors, children, livestock movements, and heavy agricultural machinery. **Achieving compliance would necessarily require road widening, additional land take, or intrusive engineering works,** with consequential impacts on mature trees, landscape character, and private land ownership.

3) Environmental risk, flood/water impacts, and Appropriate Assessment

The alignment runs immediately adjacent to **designated and sensitive ecological areas (SAC/SPA/pNHA)** and alongside drainage infrastructure functionally connected to the wider Murrough wetland and estuarine system. **The route's location and hydrological context raise material risks relating to disturbance pathways, water quality, and flood conveyance/storage**. **No AA Screening determination, Flood Risk Assessment, construction drainage strategy, or sediment/pollution control measures have been provided.** In these circumstances, **it has not been demonstrated that the EPR can be screened out from Appropriate Assessment at route-selection stage**, nor that it can be delivered without causing deterioration in water status or increasing flood risk, contrary to the objectives of the **EU Water Framework Directive and national flood risk policy.**

4) Policy non-alignment and precedent risk

National policy and guidance emphasise a **"State-land first" approach** and the minimisation of impacts on private landholdings. Route selection is also expected to satisfy the **"Five S" criteria** (Scenic, Sustainable, Strategic, Segregated, and lots to see and do). In Clonmannon**, the EPR performs poorly on deliverability and segregation and creates disproportionate private-land impacts**. Recent Irish precedents illustrate the elevated legal and deliverability risks of greenways that depend heavily on fragmented private lands and unresolved environmental constraints, including the **Blessington**

Greenway refusal (ABP Case 312479; 2 December 2024) and the **Sligo Greenway suspension (December 2025).**

Process and decision request

The consultation material does not disclose the underlying Multi-Criteria Analysis (MCA) scoring tables, weightings, or sensitivity testing underpinning the selection of the EPR, limiting meaningful public participation and preventing verification that the route-selection decision is transparent, proportionate, and robust.

Accordingly, **Wicklow County Council is requested to either:**

1. **Re-open Phase 2 route selection** for the Clonmannon section and prioritise alignments that maximise State/public corridors and minimise private land take and reliance on compulsory acquisition; **or**
2. **Publish the missing technical evidence necessary to justify the EPR as a credible preferred route** (including MCA results, standards compliance cross-sections and measurements, AA screening documentation, flood/water assessments, and land acquisition status including any VLAAs).

Pending disclosure of this material and resolution of the structural constraints identified, **the Emerging Preferred Route is not environmentally robust, proportionate, or demonstrably deliverable and should not be progressed further at route-selection stage.**

Introduction and Context

This submission is made in response to the non-statutory public consultation on the Emerging Preferred Route (EPR) for the Wicklow to Greystones Greenway, including the Summary Options Selection Report and all associated consultation materials published by Wicklow County Council.

We support the principle of sustainable transport and recreational infrastructure and recognise the public benefits of well-sited greenways. However, support in principle cannot displace the requirements that route selection be lawful, evidence-based, environmentally compliant, proportionate, and demonstrably necessary in preference to less intrusive and more deliverable alternatives, particularly where significant impacts on private landholdings arise.

We are owners of Folio 35890F and Folio 35875F and hold a legal right of access to our lands via Clonmannon Avenue, a privately owned access road subject to restricted rights of way. The avenue has no public right of passage and is essential to the continued lawful use of the lands for agricultural, equestrian, and residential purposes. We also own lands immediately adjoining the proposed EPR alignment.

In the Clonmannon area, the proposed EPR follows an inland alignment across private landholdings, including the private estate avenue and adjoining field boundaries, and runs adjacent to open drainage canals forming part of the wider Murrough wetland system. These canals are hydrologically connected to downstream estuarine and wetland environments and are regularly used by waterfowl. **The sensitivity of this receiving environment is therefore a material consideration alongside land use, safety, and deliverability.**

The lands concerned are actively managed rural lands, including family residences, and are intended to remain in lawful rural use. There is no public right of way, no established historic public path, and no existing public infrastructure across the affected lands.

Against this context, the EPR raises fundamental concerns relating to land ownership and access rights, safety and standards compliance, flood risk and water quality, Natura 2000/Appropriate Assessment risk, proportionality, and deliverability, which are addressed in detail below.

This submission is structured as follows:

- I. Analysis of Route Options and the Emerging Preferred Route (Appendices A and B) and their impacts in the Clonmannon area
- II. National policy, technical standards and relevant Irish precedents
- Conclusion and Decision Request

I. Analysis of "Route Options" and the "Emerging Preferred Route" (EPR) (Appendices A and B).

I.A Mapping of Route Options and EPR – Clonmannon Estate and Adjacent Lands.

Based on: "Public Consultation route options", Sheet 5 of 6 (Appendix A)

Based on: "Public Consultation Emerging Preferred Route", Sheet 5 of 6 (Appendix B)

Both maps are from the Summary Options Selection Report with Appended Public Consultation Drawings.

I.A.1 Nature of the EPR / Route Options (D1 and E1).

The EPR represents a significant departure from a purely coastal-aligned solution and, in the Clonmannon area, follows the same alignment as the initial Route Options D1 and E1. In this location, the route is shown to pass:

- along the [redacted]
- over a road that remains in private ownership notwithstanding the subdivision of the estate, and
- across lands subject to restricted rights of way, limited exclusively to homeowners within the former estate.

This avenue has no public access, has never been dedicated as a public road, and is not supported by any historic public use.

Beyond the avenue, the route continues across privately owned land where no road, track, or access infrastructure exists or has ever existed, running adjacent to an open drainage canal hydrologically connected to an estuarine system.

Accordingly, the EPR through the Clonmannon area would necessitate the creation of entirely new public infrastructure on private land, involving unavoidable land acquisition. This raises fundamental and material concerns in relation to land ownership rights, environmental sensitivity, safety, deliverability, and proportionality, which have not been adequately resolved at this stage of the project.

The published consultation mapping, informed by the Constraints Study, confirms that the Emerging Preferred Route is predominantly inland and aligned along field boundaries. By its nature, this alignment necessitates reliance on privately owned land and access infrastructure, confirming that **private land take is not incidental but inherent to the proposed route**.

I.A.1.1 Multi-Criteria Analysis (MCA) transparency and adequacy of public participation.

The consultation material published in support of the Emerging Preferred Route does not provide sufficient information to allow affected landowners or members of the public to meaningfully understand or evaluate how the route-selection decision was reached through the Multi-Criteria Analysis (MCA) process. In particular, notwithstanding that the Emerging Preferred Route follows the same alignment as Route Options D1 and E1 in the Clonmannon area, **the consultation documentation does not disclose**:

- the full MCA scoring tables for all route options considered;
- the relative weightings applied to each assessment criterion;
- any sensitivity analysis or scenario testing undertaken to assess how changes in assumptions or weightings would affect the outcome;
- a reasoned explanation as to why the significant land ownership, safety, environmental, and deliverability impacts associated with Route Options D1 and E1 were not determinative at route-selection stage.

In addition, it is unclear whether appropriate route-selection **"gate checks"** have been applied at this stage, including confirmation of State-land availability and the preparation of a robust business case demonstrating value for money. Such gate checks are intended to ensure that routes which are inherently undeliverable, disproportionately reliant on private land, or poor value for money are identified and filtered out at an early stage. The absence of any disclosed evidence that these checks have been

undertaken raises a further question as to whether the progression of the Emerging Preferred Route at this point represents an efficient or proportionate use of public funds.

Taken together, the absence of both the underlying MCA material and evidence that appropriate gate checks informed the MCA process means that it is not possible to verify whether route selection has been applied in a consistent, transparent, and proportionate manner, or whether the Emerging Preferred Route represents a genuine departure from earlier inland options rather than a re-labelling of the same alignment.

Irish planning law and practice require that non-statutory consultation processes facilitate **meaningful public participation**, which in turn depends on consultees being provided with sufficient information to understand the basis of key decisions and to make informed submissions. Where the analytical material underpinning route selection is not disclosed, the consultation risks being reduced to a purely formal exercise. Accordingly, in the absence of disclosure of the MCA methodology, results, and associated gate-check assessments, the route-selection decision in respect of the Emerging Preferred Route cannot reasonably be treated as settled or robust.

I.A.2 In-depth analysis: use of the private avenue [redacted].

I.A.2.1 Legal status of the Avenue.

The avenue concerned is characterized by

- private ownership,
- rights of way limited to estate homeowners,
- no public right of passage,
- no precedent for public access or public infrastructure use.

Implementation of the Emerging Preferred Route would therefore require the permanent and irreversible conversion of a private access road and adjoining private land into a public thoroughfare, fundamentally altering its legal status, function, and use.

I.A.2.2 Functional impact of the avenue Use on agriculture.

The avenue is essential to the continued lawful use of the lands, including

- livestock movement (horses, sheep, cattle),
- access by tractors and heavy agricultural machinery.

The introduction of a public greenway would

- prevent safe and controlled livestock movements,
- obstruct routine farm operations,
- render continued agricultural and equestrian use impracticable.

I.A.2.3 Environmental and landscape damage of the avenue Use.

The avenue is bordered by:

- mature and historically significant trees,
- established hedgerows and root systems forming part of the landscape character of the former estate.

To deliver a compliant greenway, the route would require

- tree removal or irreversible root damage,
- widening and surfacing works,
- permanent alteration of the landscape and rural character of the area.

I.A.2.4 Safety risks specific of the avenue Use.

The proposed alignment would introduce unmitigable safety risks, including

- cyclists travelling at speed in close proximity to children and animals,
- no physical separation possible without major and intrusive engineering works,
- no possibility of gating, supervision, or controlled access,
- increased night-time and unsupervised use of a route currently subject to social control.

I.A.2.5 Cumulative and irreversible impact of the avenue Use.

As demonstrated across Sections A.1, B.2 and C.1 to C.6, the impacts associated with Route Options D1 and E1 — and therefore with the Emerging Preferred Route — are not isolated or site-specific, but structural and inherent to the alignment itself.

Unlike temporary construction impacts, the Emerging Preferred Route would result in permanent:

- loss of privacy,
- safety risks,
- environmental degradation,
- loss of agricultural and equestrian function.

These impacts are cumulative, irreversible, and disproportionate, particularly where viable coastal-aligned alternatives exist.

I.A.3 In-depth analysis: route across wet pastures.

I.A.3.1 Legal and functional status of the land.

The route section through the wet pastures would traverse:

- privately owned agricultural land,
- land actively managed and used for grazing and pasture rotation,
- land with no existing public road, track, or access infrastructure,
- land subject exclusively to private agricultural control and management.

There is no public right of way, no historic public access, and no precedent for public infrastructure across these pastures.
Implementation of the Emerging Preferred Route would therefore require the creation of an entirely new public corridor on private agricultural land, fundamentally altering its legal status, function, and use.

I.A.3.2 Severance and operational unworkability.

The introduction of a fixed public greenway through wet pastureland would result in direct severance of agricultural parcels, leading to:

- splitting of fields that are currently managed as coherent grazing units,
- restriction of turning radii and access for modern agricultural machinery,
- disruption of pasture rotation systems essential to sustainable land management,
- permanent inefficiencies in routine farm operations.

Unlike temporary construction disturbance, such severance would be permanent and structural, rendering normal agricultural use operationally impracticable and economically inefficient.

I.A.3.3 Functional impact on livestock management.

The pastures concerned are actively used for:

- grazing of horses, sheep, and cattle,
- seasonal livestock movement and rotation,
- animal handling and veterinary access.

The introduction of continuous public access would:

- prevent safe and controlled movement of livestock,
- introduce unpredictable human and dog presence into grazing areas,
- increase stress and behavioural risk in animals,
- make compliance with animal welfare obligations more difficult.

These impacts would materially undermine the continued lawful and safe use of the land for agricultural and equestrian purposes.

I.A.3.4 Biosecurity risks and disease control.

Public access through grazing land significantly increases biosecurity risk, including:

- transmission of animal diseases via footwear, bicycles, and dogs,
- contamination of pasture through dog faeces,
- increased exposure to parasites and pathogens harmful to livestock.

Mitigation of these risks would require continuous and intrusive measures, including:

- fencing and gated crossings,
- signage and active dog-control enforcement,
- ongoing monitoring and maintenance.

Even with such measures, residual risk would remain, as compliance cannot be guaranteed in an open-access public corridor. These biosecurity risks are therefore inherent and unavoidable.

I.A.3.5 Hydrological sensitivity and land condition.

The pastures in question are characterized by:

- naturally high water tables,
- seasonal saturation and poor bearing capacity,
- proximity to drainage channels hydrologically connected to estuarine and wetland systems.

Construction and use of a greenway in this context would:

- require significant ground build-up, drainage intervention, or hard surfacing,
- alter existing water movement and soil structure,
- risk long-term waterlogging, erosion, or downstream hydrological impacts.

Such interventions would permanently alter the character and function of the land and introduce environmental risks inconsistent with sustainable land management.

I.A.3.5.1 Flood risk, drainage function, and Water Framework Directive compliance.

The wet pastures and open drainage canals adjacent to the proposed alignment perform an important function in local surface water conveyance, flood attenuation, and seasonal flood storage, particularly given the naturally high water table and hydrological connectivity to downstream estuarine and wetland systems. In this context, the construction of a fixed greenway corridor, including ground build-up, surfacing, fencing, or associated drainage works, has the potential to alter flow paths, displace floodwaters, mobilise sediments, and adversely affect water quality.

No Flood Risk Assessment, construction drainage strategy, or sediment and pollution control measures have been provided as part of the route-selection material. In the absence of such information, it has not been demonstrated that the Emerging Preferred Route can be delivered without increasing flood risk elsewhere or causing deterioration in water status, contrary to the objectives of the EU Water Framework Directive and national flood risk management policy.

Given the sensitivity of the receiving environment and the proximity of designated wetlands, flood risk and water quality impacts cannot reasonably be deferred to later design stages. The absence of a flood and drainage assessment at this stage therefore represents a further material constraint on the deliverability and environmental robustness of the Emerging Preferred Route.

The Constraints Study also identifies existing EPA-licensed discharges and Section 4 surface water discharges in proximity to the proposed alignment, including at Clonmannon. The Study further records that the study area contains numerous watercourses (48 surface water features) and lists the Clonmannan Stream water body (IE_EA_10I020430) as "Good" but "Under Review". This confirms that the receiving environment is already subject to regulatory pressure and further underscores the need for precaution at route-selection stage.

The project's Constraints Study also notes that groundwater vulnerability varies across the study area. It records that vulnerability is predominantly classed as 'low' along much of the eastern side from Kilcoole to Wicklow Town (where the Murrough Wetlands SAC/SPA and Kilcoole Marsh are located), while 'high' vulnerability is reported along the coast and along the western side of the study area, becoming 'extreme' in some western areas between Newcastle and Ashford, indicating shallow groundwater in those locations. The Study further notes that shallow groundwater levels (<3 m below ground level) are likely to be encountered within the study area and identifies groundwater-dependent terrestrial ecosystems (GWDTEs), including the Murrough Wetlands SAC, Murrough SPA and Kilcoole Marsh. In this context, ground disturbance, drainage intervention, or hard surfacing associated with the Emerging Preferred Route has the potential to alter groundwater–surface water interactions and to affect dependent habitats, even where works are located outside designated site boundaries. These factors reinforce that hydrological and water-quality risks associated with the route are structural and cannot reasonably be deferred to later design stages.

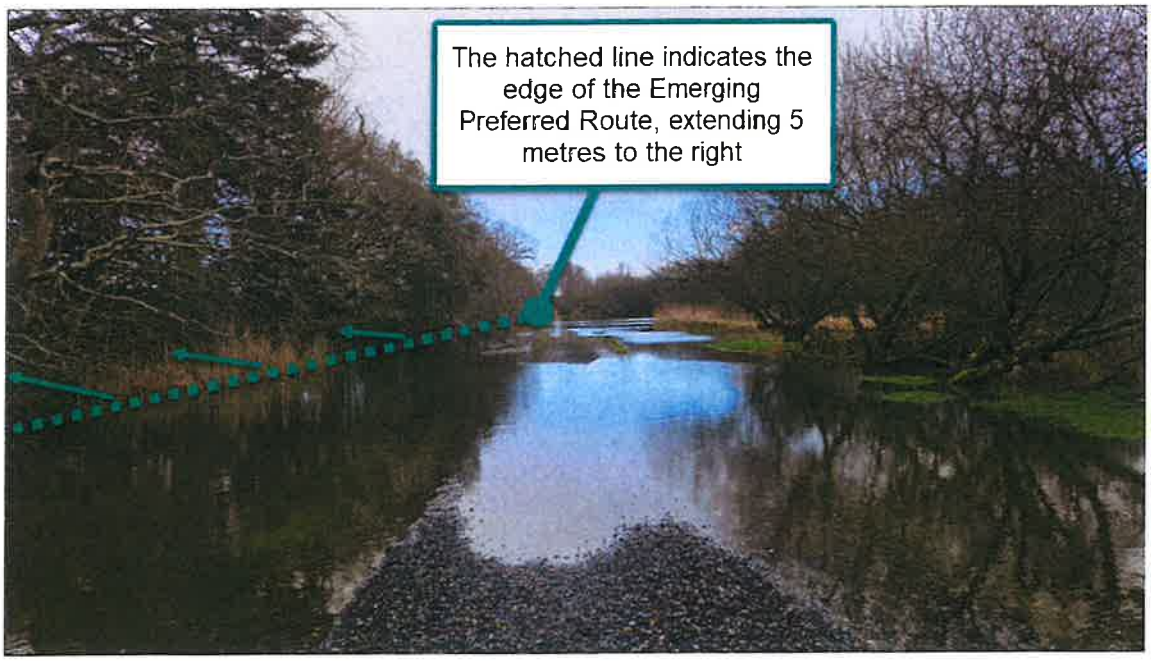
While flood risk is treated as a determinative constraint for certain route options at route-selection stage, the Constraints Study acknowledges that hydrological and flooding issues affecting the Emerging Preferred Route require further assessment at later design stages. This differential treatment highlights an inconsistency in how flood risk has been applied as a screening criterion and further undermines the robustness of the route-selection process.

The lands at Clonmannon are regularly subject to surface water flooding, a condition that is well known locally and forms part of the natural functioning of this wetland environment. **Photographic evidence submitted in support of this representation demonstrates** that sections of the land within the Emerging Preferred Route corridor are periodically and, at times, fully inundated, confirming that the route lies within an active flood conveyance and attenuation system.

Routing a greenway through an area that is demonstrably flood-prone gives rise to multiple and compounding concerns. Flooding would directly affect the operational safety and usability of the route, necessitate repeated clean-up, repair, and maintenance following flood events, and expose users to residual hazards during and after inundation. In addition, the introduction of hard or semi-permeable surfacing would reduce the porosity of land that currently plays a critical role in absorbing and attenuating floodwaters, increasing the risk of erosion and the mobilisation of material into adjacent watercourses during flood events.

In a landscape where flooding is an inherent and recurring condition, reducing the capacity of land that functions as a natural infiltration and flood attenuation zone would be environmentally harmful and contrary to the principles of sustainable flood risk management and the objectives of the Water Framework Directive. In these circumstances, the introduction of a greenway represents both a safety risk for users and a significant ecological risk to a functioning wetland system.

The photograph below shows recurring surface water flooding within the proposed Emerging Preferred Route corridor at Clonmannon.



Clonmannon – flooding of land within the proposed EPR corridor (photo taken by the author).

I.A.3.6 Safety risks specific to the wet pasture route.

Routing a greenway through wet pastures would introduce unmitigable safety risks, including:

- uncontrolled interaction between cyclists, pedestrians, livestock, and farm machinery,
- increased risk of animal escape or collision,
- slippery or unstable surfaces during wet conditions,
- lack of physical separation without extensive fencing and engineering works.

These risks cannot be adequately mitigated without transforming the pastures into a fenced and engineered corridor, fundamentally incompatible with agricultural use.

I.A.3.7 Cumulative and irreversible impact of the pasture route.

As demonstrated across Sections above the impacts associated with routing the Emerging Preferred Route through wet pastures are not isolated or site-specific, but structural and inherent to the alignment itself.

Unlike temporary construction impacts, this routing would result in:

- permanent loss of agricultural flexibility and efficiency,
- permanent biosecurity exposure,
- permanent safety risks,
- permanent alteration of land use and landscape character.

These impacts are cumulative, irreversible, and disproportionate, particularly in circumstances where viable coastal-aligned alternatives exist that avoid intrusion into actively managed agricultural land.

I.A.4 Other inland options affecting Clonmannon (D2, D3, D4 and E2, E3, E4).

These options involve inland deviations through

- private agricultural land,
- environmentally sensitive areas,
- and the private access infrastructure of the former Clonmannon Estate.

They raise cumulative concerns relating to land ownership, agricultural access, environmental protection, safety and liability.

I.A.5 Coastal-related option E5 (Irish Rail / coastal protection interface).

As highlighted in the Irish Rail report, this option demonstrates that a coastal-aligned route is both feasible and strategically coherent, avoiding unnecessary inland intrusion into private land.

"The Projects primary focus is on coastal protection for railway infrastructure, addressing erosion, flooding, and climate-related risks. While public access and visual impact are considered, especially in areas such as Whiterock and Killiney, the Projects do not include the creation of dedicated walking or cycling paths as part of its final design."

I.B Passage through / along protected sites.

I.B.1 Options passing through protected sites (D2, D3, D4 and E2, E3, E4, E5).

Several proposed route options pass through or directly affect

- a Proposed Natural Heritage Area (pNHA),
- a Special Area of Conservation (SAC),
- a Special Protection Area (SPA).

These designations indicate high ecological sensitivity. Any inland routing through such areas requires exceptional justification, which has not been demonstrated.

I.B.2 Options adjacent to protected sites, EPR (D1 and E1).

The EPR runs immediately adjacent to designated ecological sites, in some locations within only a few metres, including

- a Proposed Natural Heritage Area (pNHA),
- a Special Area of Conservation (SAC),
- and, in part, a Special Protection Area (SPA).

Under Irish planning and environmental legislation, the assessment of impacts on SACs and SPAs is not limited to development occurring within the mapped boundaries of designated sites.

Plans or projects located outside but adjacent to, or functionally connected with, such sites must be assessed where they may be likely to have a significant effect on the integrity of the designated area.

In this context, the EPR is located within the zone of influence of designated sites, presents potential for indirect impacts arising from disturbance, hydrological interaction, and sustained human activity, and therefore cannot be considered environmentally neutral solely by virtue of being located just outside designation boundaries.

Accordingly, routing immediately along the boundary of pNHA, SAC, and SPA designations raises material environmental concerns comparable to routes passing directly through designated areas and requires a level of environmental justification and scrutiny that has not been demonstrated at this stage of route selection.

I.B.2.1 Appropriate Assessment screening and procedural timing

Given the proximity of the Emerging Preferred Route to designated European sites, and the acknowledged functional connectivity between the route corridor, adjacent drainage infrastructure, and the wider wetland and estuarine system, it has not been demonstrated that the proposal can be screened out from Appropriate Assessment at route-selection stage. In particular, no Appropriate Assessment (AA) Screening determination has been provided to establish, on the basis of objective scientific evidence, that the Emerging Preferred Route would not be likely to have a significant effect on the integrity of nearby Special Areas of Conservation or Special Protection Areas.

This risk is further heightened by the presence of groundwater-dependent terrestrial ecosystems within the study area and documented areas of shallow and vulnerable groundwater, as identified in the project's own Constraints Study.

Irish and EU environmental law require that Appropriate Assessment screening be undertaken at the earliest possible stage of decision-making and cannot be deferred to later design or consenting phases where a plan or project is already sufficiently defined. In this context, the absence of an AA Screening assessment addressing, inter alia:

- the defined zone of influence of the proposed route;
- potential impact pathways, including disturbance arising from increased human activity, lighting, noise, dogs, and hydrological interaction; and
- in-combination and cumulative effects with other plans and projects affecting the same European sites,

means that the environmental implications of the Emerging Preferred Route have not been adequately assessed. In the absence of a robust and scientifically supported screening exercise, it cannot be concluded that the route would avoid adverse effects on the integrity of European sites. The proposal must therefore be regarded as environmentally premature and subject to a high degree of regulatory risk.

I.C General impact assessment.

I.C.1 Insufficient Road width and conflict of uses.

I.C.1.1 Compliance with design standards and objective safety requirements.

No evidence has been provided to demonstrate that the Emerging Preferred Route, as proposed through the Clonmannon area, can comply with applicable design standards for a shared-use greenway while continuing to accommodate existing lawful uses of the access road and adjoining lands. In particular, the consultation material does not include any drawings, measurements, or technical assessment demonstrating compliance with:

- minimum recommended widths for shared pedestrian and cycle facilities;
- safe passing distances and sightlines in constrained sections;
- safe interface requirements between public greenway users, agricultural machinery, and livestock movements;
- segregation or mitigation measures appropriate to locations with regular agricultural and residential use.

In the absence of measured road widths, typical and constrained cross-sections, or a clear explanation of how design standards would be achieved at pinch points, it has not been demonstrated that the route can be delivered in a manner that is safe, compliant, and proportionate. This gives rise to a fundamental deliverability concern, as achieving compliance would appear to necessitate road widening, land take, or intrusive engineering works, with consequent impacts on private land ownership, mature trees, and landscape character.

I.C.1.2 Supplementary context: historic and notable trees at Clonmannon.

[redacted] has historically been associated with notable and mature tree specimens, reflecting its character as a demesne landscape rather than an ordinary access corridor. Historical records identify the presence of a significant Quercus pyrenaica (Pyrenean Oak) specimen at Clonmannon, referenced in authoritative works such as *The Trees of Great Britain & Ireland*. Additional

sources indicate the presence of mature yew trees within the estate lands, further supporting the historic and ecological sensitivity of the landscape.

While the statutory protection status of individual trees has not been confirmed, the documented presence of historically notable specimens indicates that the private avenue and adjoining lands form part of a long-established estate landscape characterised by mature trees of high amenity and heritage value. Any proposal requiring widening, resurfacing, or re-engineering to accommodate a shared-use greenway therefore raises a clear risk of tree loss, root protection zone encroachment, or long-term decline of mature specimens, particularly in constrained sections of the avenue.

No tree survey, arboricultural assessment, or root protection strategy has been provided to demonstrate how the Emerging Preferred Route could be delivered in compliance with accepted construction standards near mature trees, or how required design widths could be achieved without unacceptable landscape harm. In the absence of such information, it has not been demonstrated that the route can be delivered without irreversible impacts on a historically sensitive landscape feature of the Clonmannon Estate.

I.C.1.3 Risks include for Route Options for all Clonmannon land owner, *EPR (D1 and E1)*

The main Avenue of Clonmannon estate concerned is the main and only operational access route for all the neighbours. The road is currently used for:

- All owners of Clonmannon estate
- agricultural vehicles,
- heavy machinery as only access for numerous big properties/estates.

The road is narrow and does not permit safe coexistence between

- cyclists,
- pedestrians,
- cars
- and agricultural machinery.

Impacts include:

- increased accident risk,
- loss of functional farm access for Clonmannon farm,
- risk of cutting very old and valuable trees if road widening is attempted.

I.C.1.4 Access constraints specific to *EPR (D1 and E1).*

The main avenue of Clonmannon is the primary and sole operational access route to the farm. To date, this road is already heavily used and requires constant maintenance due to intensive traffic. Any increase in its use would pose a direct threat to the farm's agricultural viability.

I.C.1.5 Access and safety constraints for inland route options (D2, D3, D4 and E2, E3, E4)

The farm access road associated with these inland route options is currently used for:

- family residential use;
- movement of horses and sheep during pasture changes;
- agricultural vehicles;

- heavy machinery essential to farm operations.

The road is narrow and does not permit safe coexistence between

- cyclists in case of a Greenway,
- pedestrians in case of a Greenway,
- livestock,
- and agricultural machinery.

Impacts:

- limited road width incompatible with mixed traffic,
- intensive and essential agricultural use,
- regular movement of livestock during pasture rotations,
- frequent use by agricultural vehicles and heavy machinery,
- coexistence with pedestrians and cyclists in case of a Greenway,
- no remaining capacity to safely accommodate additional traffic,
- significant increase in safety risks for all road users if traffic increases.

I.C.2 Safety and autonomy of children

I.C.2.1 The main avenue currently provides for all Clonmannon land owner , EPR (D1 and E4)

A safe and socially controlled environment,

- a low-volume access route used by known and considerate users, allowing independent movement within the estate.

I.C.2.2 The main Road of Clonmannon Farm Road currently provides (D2, D1, D4 and E2, E3, E4)

- a safe, controlled environment,
- a play and riding area for children,
- an internal access route with restricted use by family members and authorized farm personnel, enabling safe and independent movement within the estate.

I.C.2.3 Introducing a greenway would for Route Options EPR (D1, D2, D3, D4 and E1, E2, E3, E4)

- introduce continuous public traffic into an area currently used by children for play and independent movement,
- create unavoidable speed differentials between cyclists and children,
- remove the socially controlled and predictable environment on which child safety currently depends,
- eliminate the conditions that allow children to move independently and safely within the estate,
- require constant adult supervision where autonomy is currently possible,
- result in a significant and permanent reduction in children's safety and autonomy.

I.C.3 Infrastructure not designed for public greenway use EPR (D1, D2, D3, D4 and E1, E2, E3, E4)

The existing road infrastructure is already heavily used and was not designed or engineered to accommodate:

- continuous public pedestrian traffic,
- cycling traffic associated with a greenway.

Foreseeable consequences include:

- accelerated surface degradation,
- increased mud accumulation and erosion,
- drainage failures and waterlogging.

Responsibility for upgrading, managing, and maintaining this infrastructure is unclear, and any such works would fundamentally alter the rural and agricultural character of the estate and surrounding area

I.C.4 Environmental impact

I.C.4.1 Environmental impact for Route Options (D2, D3, D4 and E2, E3, E4, E5)

The dune biotope in this area is of high ecological importance, as documented in existing coastal protection and Irish Rail studies.
This coastal system forms part of the Murrough Wetlands, which are formally designated as:

- a Proposed Natural Heritage Area (pNHA),
- a Special Area of Conservation (SAC),
- and a Special Protection Area (SPA).

This environment constitutes a dynamic and highly sensitive coastal ecosystem, providing:

- natural coastal defence against erosion and flooding,
- habitat continuity within a wider protected coastal corridor,
- ecological connectivity with adjacent estuarine and wetland systems.

Any routing that traverses or directly affects this dune biotope would

- directly impact habitats subject to statutory protection,
- pose significant risks of habitat disturbance, fragmentation, and long-term ecological degradation,
- trigger requirements for exceptional justification and robust mitigation measures.

Such justification and mitigation have not been demonstrated, rendering inland or dune-based routing environmentally unjustified in the context of designated pNHA, SAC, and SPA protections.

I.C.4.2 Environmental impact for Route Options EPR(D1 and E1)

Route Options run immediately adjacent to protected coastal environments, in some locations within a few metres of designated sites, including

- a Proposed Natural Heritage Area (pNHA),
- a Special Area of Conservation (SAC),
- and, in part, a Special Protection Area (SPA) associated with the Broadlough Estuary and the Murrough Wetlands.

In this context, inland routing:

- places sustained anthropogenic pressure on fragile coastal and estuarine ecosystems,
- increases disturbance to protected habitats and species sensitive to noise, movement, and human presence,

- risks indirect impacts such as erosion, habitat edge effects, and disruption of hydrological regimes.

Such routing contradicts the environmental objectives of the greenway project, mainly the principles of

- avoiding unnecessary inland intrusion,
- minimizing impacts on designated sites,
- and prioritizing solutions aligned with existing coastal protection strategies.

Given the coastal nature of the project area, any inland deviation adjacent to pNHA, SAC, or SPA boundaries represents a disproportionate environmental impact when less intrusive coastal-aligned alternatives exist.

I.C.5 Loss of residential amenities, property value and disproportionate impact EPR (D1, D2, D3, D4 and E1, E2, E3, E4)

The current setting is rural, private, and tranquil, characterized by restricted access, low activity levels, and a clear distinction between private land and public infrastructure.

The proposed routes would introduce

- permanent tourists and recreational flows into a currently private residential and agricultural environment,
- continuous public presence resulting in increased noise, visual intrusion, and loss of privacy,
- a fundamental change in the character and function of private access routes and residential land,
- a permanent reduction in residential and agricultural amenities.

These changes would lead to

- a material loss of property value across all affected properties,
- a lasting diminution of the quiet enjoyment and market attractiveness of the estate,
- a direct impact on the economic viability and long-term use of private land.

It has been clearly established that no landowner within the Clonmannon Estate is willing to voluntarily sell land for the proposed greenway. As a result:

- land acquisition could only proceed through compulsory purchase or expropriation,
- property owners would lose effective control over parts of their land,
- private ownership rights would be overridden in favour of public use.

Taken together, these impacts represent a disproportionate interference with private property and residential amenities, particularly in circumstances where less intrusive and more appropriate route alternatives exist and have not been sufficiently prioritized.

I.C.5.1 Land acquisition, landowner consent, and reliance on compulsory purchase

Notwithstanding the identification of the Emerging Preferred Route, no information has been provided regarding the land acquisition strategy underpinning this alignment, nor the extent to which landowner engagement has resulted in voluntary agreements. In particular, it has not been confirmed whether any Voluntary Land Acquisition Agreements (VLAAs) have been secured in respect of the private lands required to deliver the route through the Clonmannon area, or whether such agreements are realistically achievable.

In the absence of confirmed voluntary agreements, the delivery of the Emerging Preferred Route would necessarily depend on the use of Compulsory Purchase Orders (CPOs) to acquire private agricultural and residential land. Reliance on compulsory acquisition as the primary or sole delivery mechanism raises serious questions of proportionality, necessity, and deliverability, particularly at route-selection stage, where Irish greenway policy and established practice require that alternatives which minimise land take and avoid compulsory acquisition be prioritised wherever feasible.
Furthermore, the use of CPO powers in this context would involve the permanent extinguishment or alteration of private property rights and established access arrangements in order to facilitate a recreational and active-travel corridor, notwithstanding the existence of less intrusive alignment options. Where a route depends on compulsory acquisition in circumstances where landowner consent has not been secured, and where significant environmental, safety, and operational constraints have already been identified, it is unclear on what basis the alignment can properly be described as "preferred". Accordingly, the reliance on compulsory purchase as an inherent feature of the Emerging Preferred Route constitutes a material deliverability risk and further supports the conclusion that route selection in the Clonmannon area should be re-opened and reassessed.

I.C.6 Security, liability and legal exposure EPR (D1, D2, D3, D4 and E1, E2, E3, E4)

The introduction of increased public access associated with the proposed routes would have significant legal and security implications for affected landowners. Where the Emerging Preferred Route relies on private land, delivery would necessarily involve compulsory purchase or expropriation, resulting in landowners losing effective control over parts of their property and private ownership rights being overridden in favour of public use.

As a direct consequence, landowners would face:

- heightened civil liability exposure for incidents occurring on or adjacent to their land;
- uncertainty regarding insurance coverage, exclusions, and potential premium increases;
- long-term legal and financial risk arising from the conversion of private land into a de facto public access route.

These risks represent a disproportionate burden on private landowners, particularly where continuous public access would be introduced into environments not designed, managed, or insured for such use, and where less intrusive alternatives exist.

Experience from other greenway projects further indicates that, once a route progresses beyond the non-statutory stage, affected landowners are increasingly exposed to requests for site access, intrusive surveys and ground investigations, preliminary works undertaken before route selection is conclusively resolved or landowner consent secured.

In the absence of clarity regarding route selection and acquisition strategy, this creates an additional and immediate burden for landowners and compounds the legal, financial, and practical risks associated with progression of the Emerging Preferred Route.

II National Policy, Technical Standards and Relevant Irish Precedents

II.A National policy requirements: "State-land first" and minimizing private land take

The Government's Greenways Strategy (*Strategy for the Future Development of National and Regional Greenways*, 2018) establishes that the preferred model for future greenways is the use of lands already in the undisputed ownership or control of the State. This approach is reinforced by the Department of Transport's *Code of Best Practice for National and Regional Greenways* (2021), which requires that State-owned land be prioritised to the greatest extent possible and that impacts on private landowners, including reliance on compulsory acquisition, be minimised.

In circumstances where a coastal/rail corridor and other State-controlled corridors exist, a route-selection outcome that depends on the creation of a new public corridor across private agricultural land and along private access infrastructure therefore requires a clear, evidence-based justification demonstrating that all State/public corridor options have been fully examined and exhausted.

There is increasing concern at national level that local authorities are deviating from the Code of Best Practice, particularly in relation to the obligation to prioritise State-owned land and to avoid reliance on compulsory acquisition where feasible. In this context, it is unclear how the route-selection process for the Emerging Preferred Route can be considered compliant in the absence of clear evidence that the Code has been fully and correctly applied.

II.B Technical route-selection requirements: the "Five S" criteria and deliverability

The Code of Best Practice indicates that route selection should have regard to scheme objectives and the "Five S" criteria: Scenic, Sustainable, Strategic, Segregated and lots to see and do. These criteria are intended to ensure that a greenway delivers public value while remaining deliverable, safe, and proportionate in its impacts.

Applied to the Clonmannon context, the Emerging Preferred Route raises material concerns under the Five S criteria, including:

- Scenic: an inland, field boundary / private-avenue alignment lacks the defining coastal views and landscape experience that would typically underpin tourism value in this area.
- Sustainable: private-land routes require additional fencing, gated crossings, land acquisition, compensation processes and long-term maintenance obligations, increasing cost and complexity.
- Strategic: reliance on inland alignments away from the coastal/rail corridor risks weakening the function of the greenway as a strategic transport and active-travel link, particularly in relation to rail-based access at Greystones, Kilcoole and Wicklow.

- Segregated: routing along a narrow private access avenue that must continue to serve residents, visitors, and heavy agricultural machinery is inherent in tension with providing meaningful segregation and safety without extensive widening works.
- Standards and consistency: routing through multiple private boundaries and constraints increases the difficulty and cost of delivering consistent widths, sightlines and gradients without significant engineering intervention and landscape loss.

II.C Recent Irish precedent illustrating deliverability and legal risk

II.C.1 Sligo Greenway (Collooney to Bellaghy) – suspension following options review (December 2025)

On 1 December 2025, Sligo County Council published a project update confirming that (in consultation with TII) it was suspending further work on the Sligo Greenway project. The Council recorded that alternative alignments moving away from the State-controlled corridor would be at least 22% more expensive and were not considered a viable or recommended alternative.

II.C.2 Cork to Kinsale Greenway – "total review" where the EPR depended predominantly on private land

Public reporting and stakeholder statements in relation to the Cork to Kinsale Greenway indicate that Cork County Council agreed to undertake a "total review" of the project amid concerns that the emerging preferred corridor would rely to a very significant extent on private land. This experience is relevant because it illustrates that projects which depart from State/public corridors and require extensive private-land acquisition at the route-selection stage may require reconsideration on deliverability, proportionality and policy compliance grounds.

II.C.3 Blessington Greenway (County Wicklow) – ABP refusal due to evidential deficits (Case 312479; December 2024)

An Bord Pleanála refused the Blessington Greenway (Case 312479; decision dated 2 December 2024). Publicly available decision materials and reporting indicate that refusal was based, inter alia, on insufficient evidence regarding potential impacts on water quality and disturbance of bird species, and on the Board not being satisfied that the development would not adversely affect the integrity of European sites.

II.D Application to the Greystones to Wicklow Greenway route selection (Clonmannon)

Taken together, the national policy direction ("State-land first"), the Five S route-selection criteria, and the recent Sligo, Kinsale and Blessington examples demonstrate that an inland route through private agricultural and residential lands carries elevated deliverability and legal risk. In the Clonmannon area, those risks are compounded by:

- the private legal status of Clonmannon Avenue
- the intensity of agricultural and residential use, and
- the proximity and functional connectivity to the Murrough Wetlands SAC and SPA.

Accordingly, Wicklow County Council should not progress the Emerging Preferred Route as presently presented. Route selection should be re-opened and the Council should prioritize solutions that maximize use of State/public corridors and already-disturbed land, minimize land takes and severance, and provide a defensible approach to screening, Appropriate Assessment and (where required) Environmental Impact Assessment.

II.E Decision request: route selection status and disclosure of underlying evidence

In light of the substantive land ownership, safety, environmental, and deliverability concerns identified above, Wicklow County Council is respectfully requested to clarify the status of the Emerging Preferred Route in the Clonmannon area and to take one of the following courses of action:

1. **Re-open Phase 2 route selection** for the Clonmannon section, with a clear prioritisation of alignments that maximise use of State/public corridors and already-disturbed land, and that minimise severance, private land take, and reliance on compulsory acquisition; or
2. **Publish the full technical and evidential basis** for treating the current alignment as "preferred", including (at minimum):

    - the full **MCA scoring tables**, applied weightings, and any sensitivity analysis or scenario testing;
    - confirmation that the findings of the **Constraints Study** have been translated into effective route-selection **gate checks**, including verification of **State-land availability** and the preparation of a **robust business case demonstrating value for money**;
    - measured widths and **typical and constrained cross-sections** demonstrating compliance with design standards and safe agricultural interface arrangements;
    - **Appropriate Assessment (AA) Screening** documentation, including the defined zone of influence, impact pathways, and in-combination and cumulative effects assessment;
    - **flood risk and water quality documentation**, including a Flood Risk Assessment, construction drainage strategy, and sediment and pollution control measures; and
    - confirmation of **land acquisition status**, including whether any Voluntary Land Acquisition Agreements (VLAAs) exist for the affected lands and, if not, the basis on which the alignment is considered deliverable without disproportionate reliance on compulsory purchase.

Pending disclosure of this material, it is not apparent that the Emerging Preferred Route can properly be regarded as **settled, robust, or deliverable** at route-selection stage. The Council is therefore requested **not to progress the Emerging Preferred Route through subsequent project phases** until the above matters have been addressed.

Conclusion

While the objective of improving walking and cycling infrastructure is supported, **the proposed inland routes—and in particular the Emerging Preferred Route—do not resolve the fundamental constraints identified at Clonmannon.**

As demonstrated throughout this submission, **the EPR does not constitute a materially different solution in the Clonmannon area**, but rather retains the alignment of earlier inland options that are structurally incompatible with (i) private land ownership and restricted access arrangements, (ii) lawful agricultural and equestrian operations, and (iii) safe coexistence with family residences, children, livestock, and heavy machinery. The selection of the "least constrained" inland option does not cure these incompatibilities, nor does it establish that the alignment is safe, compliant, proportionate, or deliverable.

In addition, **the route's proximity and functional connectivity to the Murrough wetland system raises regulatory risk that cannot reasonably be deferred**, including requirements for robust screening under Appropriate Assessment, as well as unresolved issues relating to flood risk, drainage function, and water quality. The absence of disclosed technical evidence underpinning route selection—including the MCA scoring basis, standards compliance cross-sections, AA screening, flood/water assessments, and land acquisition status—**further supports the conclusion that the EPR cannot properly be treated as settled or robust at route-selection stage.**

In these circumstances, **the Emerging Preferred Route is not environmentally robust, proportionate, or demonstrably deliverable and should not be progressed further as presently presented**. Route selection in the Clonmannon area should therefore be re-opened, with priority given to alignments that maximise use of State/public corridors and already-disturbed land, minimise private land take and severance, avoid disproportionate reliance on compulsory purchase, and provide a defensible approach to environmental compliance and safety.