



To Wicklow County Planning Department
Wicklow Town
18 August 2011

Re: Unauthorised development of a fence on the foreshore on the eastern, seaward side of Broadlough.

Dear Sirs,

Friends of the Murrough would like to report unauthorised development as indicated in the attached map in accordance with Section 152 of the Planning and Development Act 2010. The foreshore here is an (unmapped) public right of way. The path has been walked from time immemorial and is still walked on a very regular basis by town's people and visitors.

As can be seen in the photograph the fence is a high steel barbed fence of industrial style, which protrudes into the lake obstructing the walk along the foreshore.

* Articles 9 (1)(vi) of the Planning and Development Regulations 2001 states that no development is exempt from the need to seek planning permission where works would *interfere with the character of the landscape, or view or prospect of special amenity value.*

This area is designated as an of Special Amenity and Area of Outstanding Natural Beauty in the County Development plan and, as can be seen in the photograph, this fence significantly affects the landscape.

* Articles 9 (1)(x) states that no development is exempt from the need to seek planning permission where works *consist of the fencing or enclosure of any land habitually open to the public during the 10 years preceding such fencing or enclosure for recreation purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility.*

As stated above this land along the shores of the lake has been walked since time immemorial.

* Articles 9 (1)(xi) states that no development is exempt from the need to seek planning permission where works *obstruct a right of way.*

Notwithstanding the failure of the council to map this walk, it is a public right of way.

* We are not aware of any license to develop on the foreshore as required by the Foreshore Act 1933

Friends of the Murrough has received many anxious reports about this fence since it was constructed last week and we would be pleased if the council could deal with this with great urgency. We would refer you to precedence from an An Bord Pleanala decision <http://www.pleanala.ie/casenum/RL2121.htm>

Malcolm Spencer
Chairman Friends of the Murrough
c/o Redwoods, Killoughter, Ashford.