

**MINUTES OF THE SPECIAL MEETING OF DONEGAL COUNCIL MEETING HELD
ON
24TH APRIL, 2023 IN THE COUNTY HOUSE, LIFFORD**

C/120/23 MEMBERS PRESENT

Cllrs L. Blaney, Cathaoirleach, K. Bradley, C. Brogan, P. Canning, T. Conaghan, D. Coyle, G. Crawford, N. Crossan, T. Crossan, A. Doherty, G. Doherty, L. Doherty, R. Donaghey, N. Jordan, J. Kavanagh, D. M. Kelly, M. McBride, M. McDermott, P. Mc Garvey, P. McGowan, M. Mahon, G. Mc Monagle, A. Molloy, J. Murray, M. Naughton, J. O. Donnell, and B. Sweeny, *Online*: M. Farren, M. T. Gallagher, M. Harley, N. Kennedy, M. C. Mac Giolla Easbuig, M. Mc Clafferty, N. Mc Garvey, J. McGuinness, J. S. O' Fearraigh.

C/121/23 OFFICIALS IN ATTENDANCE

John Mc Laughlin, Chief Executive, Patsy Lafferty, Director of Housing, Corporate and Cultural Services, Meetings Administrator, Bryan Cannon, Director of Roads & Transportation, Garry Martin, Director of Economic Development, Information Systems & Emergency Services, Liam Ward, Director Community Development & Planning Services, Eunan Quinn, Senior Planner, Paul Christy, Senior Executive Planner, John Mc Feeley, Executive Planner, Alana Greene, Executive Planner, Graham Diamond, Executive Planner, Roisin Kelly, Executive Planner, Frances Friel, Communications Officer, William Colvin, Communications Office, Anne Marie Crawford, Staff Officer.

C/122/23 ADJOURNMENT OF THE MEETING

On the proposal of Cllr Crawford, seconded by Cllr Sweeny it was resolved to adjourn the meeting until 11am to facilitate further discussion on the Draft Letterkenny Development Plan and Local Transport Plan.

C/123/23 DRAFT LETTERKENNY PLAN AND LOCAL TRANSPORT PLAN

On resumption of the meeting, it was proposed by Cllr Kelly and seconded by Cllr Mc Monagle that consideration of the Chief Executive's Report on submissions received during the formal public consultation period and the decision on whether or not to make the Plan be deferred until members had the opportunity to discuss same in workshop format.

Mr Liam Ward, Director Community Development & Planning Services advised members of the requirement to adhere to the statutory timelines when dealing with the Chief Executive's report and as required under planning legislation. Members, he confirmed, had to consider the Chief Executive's report no later than the 10th May, 2023.

He said that it was intended to hold a workshop on the 4th May for the Letterkenny/Milford MD members.

On the proposal of Cllr Brogan, seconded by Cllr Kelly it was resolved that the matter be deferred to a Special Meeting of Council to take place on Wednesday 10th May, 2023 at 10am in the County House, Lifford.

C/124/23 **COUNTY DEVELOPMENT PLAN 2024-2030: CONSIDERATION OF DRAFT PLAN AND ENVIRONMENTAL REPORT. PUBLICATION OF OF THE DRAFT PLAN OR TO MAKE AMENDMENTS IN ACCORDANCE WITH SECTION 11(5)C OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)**

Members considered the report circulated with the agenda together with the Draft County Donegal Development Plan 2024-2030 as circulated on the 14th April, 2023. Mr. Liam Ward, Director Community Development & Planning Services said that if members were happy with the content of the draft plan then the next stage would be to go out to public consultation and invite submissions from the general public and the various statutory agencies. It was, he noted, a significant document and there would be need for discussion on specific policy areas.

The meeting would be structured, he said, so that agreement could be sought initially in relation to the specific policy areas, which had been robustly debated in the various workshops and by the working groups. These included, he said, areas such as access to the N56, TP-4, Small Business in Rural Area Policies and Rural Housing Policies. He confirmed that the first half of the meeting would deal with these policy areas, followed by an update from the executive on the rationale for dealing with same. It was intended, he said, during the second half of the meeting to look and focus on a Municipal District basis at the Settlement Frameworks surrounding rural towns and villages.

Members acknowledged the level of input and the volume of work carried out by the Central Planning Unit. A lengthy debate then ensued, and the following issues were raised:

- Policy EDP- 6 – Exemption needed to allow for vehicles to be sold under Retail as the policy as it stands would ensure that anyone seeking planning permission for a garage on the outskirts of town would be pushed back into the centre of the town.
- Concerns especially in the Glenties Municipal District with regard to TP-4. Clarity needed in relation to those areas with lesser volumes of traffic and intensification issues. Further information also required in relation to compliance with the National Roads Design standards.
- Query with regard to the provision allowing the hospitality sector to build in rural settlements where a specific tourist point, or attraction is located as a means of boosting and strengthening the tourism product. Not enough emphasis in the plan on the development and servicing of the tourist industry. More flexibility needed.
- Need to look going forward at how Glamping sites can be developed in areas of high tourism.
- Need to protect small businesses in rural areas.
- Policy change needed with regard to access onto the N56 and in needs to be in place prior to the adoption of the Plan. Clarification needed in relation to the traffic volume clause.

- Rural Housing needs to be at the forefront.
- How can towns and villages be developed when there is a clear indication from Irish Water that the water/sewerage capacity is not in place in many instances to facilitate the demand for housing and business development. Impact here also in terms of social housing. Noted three - four year wait in Carndonagh for service development to accommodate a development of thirty houses. A number of members alluded to specific examples in their respective Municipal Districts. Parallel Irish Water timeline and workplan for development needed.
- Why areas in North Inishowen do not have significant water, yet a water supply is being taken from the Fullerton Pollan Dam to other areas of Donegal.
- Asked that a traffic light system as requested previously, outlining the development capacity of each specific town, village and smaller rural settlement and based on the level of roads, water and sewerage infrastructure in place to facilitate development, be implemented as soon as possible.
- Policy within the current plan to develop social housing and support communities in rural areas has not been very successful and must be reviewed. Outlined need to engage with the Housing Construction team, on a policy which will keep people living in smaller rural settlements and boosting local communities particularly in light of the current housing crisis.
- What can be done to sustain population growth?
- Consideration needed with regard to the impact of the Residential Zoned Land Tax on the ability of people to carry on with agricultural and horticultural activities. Many farm families concerned regarding the implications of land being designated as “Primarily Residential”, “Strategic Residential Reserve”, or “Opportunity Site “. Query as to where the population growth was that demanded the necessity to impose this tax. Cllr Albert Doherty informed the meeting that he had a family members involved in farming and that they were also impacted by the RZLT designation. Suggested that an exemption be provided in areas where it is not feasible to impose the RZLT due to a shortfall in infrastructural capacity.
- Query as to why many existing Clachans have not been mentioned and information needed as to their status going forward.
- House building must be prioritised.
- Disappointed that Buncrana had not received more coverage in terms of its tourism potential. Numerous small projects need to be developed.
- Access issues in respect of Buncrana Main Street need to be addressed What actions are ongoing in terms of dealing with derelict housing? Policies and procedures in place must be used to address the vacant site/housing issues. County-wide problem with specific reference made to problems in Buncrana and

Ballybofey/Stranorlar. Proactive approach required from the Roads, Housing and Planning services.

- Concern that there is nothing in the Plan to address the wider housing issues including the Defective Concrete Blocks issue.
- More emphasis required in terms of the development and impact of the North-West City Region. Investment needed in terms of water and roads infrastructure.
- Consideration must be given to the important contribution made by the Atlantic Technological University to Letterkenny and Donegal and cognisance taken of the housing and employment needs of the student population.
- Lifford - Castlefin Greenway should be included as a “Strategic Greenway Opportunity”.
- Request that Objective T-O-5 be amended to include the following text:
“To retrospectively, provide safe walking and cycling infrastructure, segregated from other traffic, in settlements, *and into settlements from adjacent rural areas, accessing cultural, recreational, commercial, educational, and employment destinations and attractions*”
- More thought needs to go into converting railway lines adjacent to Greenways as this is not always the best possible use. This to be considered on the basis that recognition is given to areas which have significant rural populations in relative close proximity to towns and villages not currently accounted for in relation to Active Travel Schemes as they are outside the settlement frameworks. This to provide scope in the plan for footpaths and cycle paths to make commuting easier where feasible.
- Query as to how the stated objective in the plan to preserve peatlands under the National Peatlands Strategy marries with the Wind Energy Maps in terms of areas designated “Open to Consideration”
Turbines must be banned in peatlands especially those marked by the EPA as high risk.
- Assertion that the “Open to Consideration” designation under the Wind Energy Policy appears to be vague. No focus on re-powering or on updating already developed sites.
- Must ensure that the “Change of Use” criteria in relation to small businesses in rural areas is robust enough to cover the change of use of existing buildings.
- Clarity sought in relation to the definition of “Adverse Intensification onto existing Access Points” and whether it can be removed from the Plan.
- Portnoo area – This area to be looked at again in terms of a specific policy that would ensure that the local indigenous population is able to live and build in their own locality.
- Flood Risk mapping in the Ardara/Doochary areas. Retrospective mapping required here as the settlements in these areas were

initially designed around rivers, lakes and coastal areas. Current mapping is restricting development.

- Increased emphasis needed in terms of “Cruise Ship” tourism and associated spin-off activities.
- Road’s infrastructure in south-west Donegal must be upgraded to accommodate the development of the tourism product.
- Need for more emphasis on Renewable and Off-Shore Renewable Energy options.
- Protection needed for fishing grounds off the coast in terms of the ongoing discussion on wind and wave energy.
- Lack of housing and access to housing is an issue with many people unaware of their entitlement to social housing.
- Query as to whether the housing figure need of 121 as identified for Killybegs, is sufficient, pending any future development of the Killybegs ATU Campus and the growth of the tourism industry.
- No mention in the document of Kilcar.
- Clarity sought on the €6.4 million identified for Killybegs 2040 on page 25 as opposed to the €5.4 million shown on the Rural Regeneration Map on page 24.
- Development of the Boat Quay in Bundoran must be prioritised.
- Walks at the West End in Bundoran and Tullan Strand require funding and need to be accounted for in the Plan.
- Smaller towns such as Pettigo and Ballintra have been forgotten and require an increased emphasis.
- Important that reference is made in the plan to Fracking.
- Sewage Scheme in Falcarragh must be prioritised.
- Magheroarty dredging is not progressing at an acceptable level.
- Serviced sites needed in our towns and villages so that people are encouraged to stay and contribute to their locality.
- Clarification sought in relation to “Archaeological Heritage” and the implications and differences for those who want to build in line with proposed plan as opposed to the previous Development Plan.
- Flexibility needed for existing businesses on National Primary and National Secondary Roads particularly on the edges of our towns and villages. Specific mention of Killygordon and Castlefin (from the Stop Sign at Grahamsland to Caislean Court).
- Sufficient linkage needed in Ballybofey/Stranorlar with regards to traffic management. Footpath and Cycle Paths within town boundaries need to be prioritised.
- Overall Transportation Plan needed for Donegal with reference to bus routes and services.
- Request that when flood relief submissions are being made that reference is also included to the provision of walkways and cycle paths.
- Concern that a number of key tourist attraction are not listed including Wild Ireland and Castle Adventure Open Farm.
- Accessibility and infrastructure in South Donegal are key to enhanced tourism development.

- Progress needed in terms of a cross-border cycling/walking trail which would be part of the Erne Atlantic Way and linked in with the Cross-border Shared Island application.
- What is the acquisition policy with regard to disused structures along old railway lines/ roads?
- TEN-T and Bonagee Link are key infrastructure projects that need to be delivered.
- Lack of broadband an issue going forward.
- Areas outside of towns should be prioritised for Park and Ride facilities.
- Harbour Byelaws needed.
- Line should be added to provide for a moratorium on new quarry applications where it has been proved that the aggregate includes deleterious materials until all the science is in regarding these materials.

C/125/23 **ADJOURNMENT FOR LUNCH**

It was unanimously agreed to adjourn the meeting until 2.15pm.

C/126/23 **COUNTY DEVELOPMENT PLAN 2024-2030: CONSIDERATION OF DRAFT PLAN AND ENVIRONMENTAL REPORT. PUBLICATION OF THE DRAFT PLAN OR TO MAKE AMENDMENTS IN ACCORDANCE WITH SECTION 11(5)C OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)**

On resumption the Cathaoirleach informed members that workshops to discuss the “Settlement Frameworks” review would be held in each Municipal District prior to the Special Meeting on the 10th May.

Cllr Naughton queried whether changes made in relation to the Settlement Framework at workshop level would carry into the Draft Plan and if so, would these be amended by the executive.

Mr Eunan Quinn, Senior Planner, advised that any changes made at the next round of MD workshops would be taken forward, put out for environmental assessment and would then come back to the members prior to publication. There would be an opportunity, he advised to revisit the issues raise in the workshops but there was always the possibility that some may not stack up for various reasons in terms of the prevailing legislation.

Cllr Naughton said he was concerned that proposals had been made previously in respect of Laghey and Ballintra and that nothing had materialised in terms of zoning land for housing. He said that Laghey was once again being overlooked and that this was very frustrating.

The Cathaoirleach said that this could be discussed further in the MD workshops.

The Chief Executive welcomed the engagement and constructive feedback to date. He said that the Planning service would talk through

any proposed changes with members in the forthcoming workshops and would provide an indication at that juncture as to whether the proposals were feasible or not.

In terms of Irish Water and ongoing capacity issues, he would, he advised, through the CPG structure look at coming together with Irish Water and the relevant Government departments to look at the possibility of producing a clear-cut plan for development in the county. He said that he would come back to CPG in due course with a specific proposal.

Mr Liam Ward, Director Community Development & Planning Services acknowledged that there were concerns in relation to access onto the N56, and the extension of the policy for small rural businesses. He noted that there had been lot of reference and support for the tourism industry and said that this would be strengthened where possible.

Alluding to the dereliction issue, he said, this was an area that required further attention and resources. It was noted that a Town Regeneration Officer had been appointed and that the Vacant Homes Officer position was due to be finalised shortly. There was general acknowledgment that the issue impacted on all towns and villages. He confirmed that there was a plan in place to tackle dereliction and that this would be supported with further resources.

He noted from the feedback that there was general agreement with the rural housing policies and noted that a policy was in place to support the development of serviced sites. He said that the general thrust of the Rural Housing policy was to support the development of Clachans.

Alluding to concerns raised in relation to the impact of the Residential Zoned Land Tax on land holdings and the farming community, he said, that these were clearly linked to zonings and that the Planning Service had no option but to put these in place and comply with the prevailing legislation.

There was, he confirmed, sufficient provision in the plan to deal with the issues raised in respect of fracking and the development of a rail network.

There would be an opportunity also, he advised, at the forthcoming workshop to deal with the issues raised in relation to the Buncrana, Bundoran and Ballybofey/Stranorlar Area Plans.

Mr Eunan Quinn, Senior Planner advised of the following:

- That there was sufficient provision in the Rural Business Policy to make provision for vehicle sales on the edge of settlements, but that "Vehicle Sales" type activity could be added in as an edit to EDP-6 and EDP-11.

- Considerable discussion had taken place in relation to access onto National Roads and specifically National Secondary Roads both in workshop format and by the steering group concerned. It was noted that whilst there had been significant discussion with TII, the NRDO and the Roads Directorate in relation to possible derogations, the fact of the matter was that national policy prevailed. He confirmed that “Adverse Intensification” had been applied in the past.
- Confirmed that the policy context did provide for the building of hotels, tourist facilities in rural settings.
- The policy for caravan parks, sites and glamping pods, it was noted, was outlined in the plan under TP-6 and that there was provision for glamping pods in rural settlements and in rural areas where the need for the resource was clearly identifiable.
- The table on page 221 of the Plan highlighted the spare wastewater treatment capacity and the water capacity and showed the deficiencies in smaller towns and villages.
- That the provision for social housing in smaller towns and villages would need to be looked at as an edit in terms of clarity and for the purpose of aligning it to the previous plan.
- The population targets referred to in the plan were based on national evidence and statistics.
- Additional items in respect of the tourism list could be looked at during the workshop process.
- The reflection of the value of the Atlantic Technological University to Letterkenny and Donegal was robust but could be revisited if required, and additional narrative added.
- Table 8.2 Strategic Greenways Opportunities could be looked at again together with the objective in respect of “Active Travel” - T-O-5.
- That the Wind Energy Policy and the suite of policies concerned do reflect the designation of those areas “Not Acceptable in Principle” and as designated under EU Habitats. Areas such as the Gweebarra River Valley it was confirmed were specifically identified as “Not Open for Consideration” in the draft document.
- Tourism context for the southwest region was strongly recognised in the in the draft plan and reference made to the supporting infrastructure.
- Noted that targets for housing were targets only and not quotas or ceilings.
- Fracking explicitly ruled out as a policy context.
- Suite of options included in relation to the “Serviced Site” Initiative.
- Policy on “Architectural Heritage” was a restating of the existing policy and that there was no change to any proposals in this area. Noted that an archaeological assessment was still required as part of the application process in the areas concerned. This was still applicable, he noted, in the case of an application for the centre of Lifford. It was further clarified that the policy simply quantified in a clear manner the existing national monuments policy obligations.

- Flexibility for the treatment of existing businesses on National Roads was guided by national policy which in turn impacted on local policy issues. Intensification, it was noted, was an issue and each application was looked at on a case-by-case basis. Proactive approach has always been taken by the Planning Authority in respect of those businesses who want to expand and where specific economic development opportunities existed.
- Protection of the rail lines is provided for in the Plan under Policy TP-8 on page 117.
- Protection of the fishing grounds off the coast was outside the scope of the Plan.

Mr Liam Ward, Director Community Development & Planning Services acknowledged that considerable engagement that had taken place and that a number of issues had been highlighted in the course of the debate. A round of MD workshops, he advised would now take place in relation to the “Settlement Frameworks” and the town plans for Buncrana, Bundoran and Ballyshannon.

It was hoped, he said, to bring the matter back to members at the plenary meeting on the 29th May to ratify the changes made in the interim. He said that if agreement was reached at this juncture, then the Environmental Report would have to be amended and adjusted and a decision taken at the July 2023 meeting in relation to the publication of the plan and the commencement of the public consultation process.

He thanked members for their engagement and acknowledged the work and dedicated input of the planning team. He thanked Eunan Quinn, Paul Christy, John Mc Feeley, Graham Diamond, Roisin Kelly and Maeve Mc Elroy for their efforts. These comments were endorsed by the Cathaoirleach.

Mr Paul Christy, Senior Executive Planner informed members that the Residential Zoned Land Tax process was driven by Revenue and the Department of Finance, and that the role of the Local Authority was to produce a map identifying lands zoned for housing and which were serviced or serviceable. Unfortunately, he said, this impacted on number of landowners around the county. He said that it was not within the Council’s gift to look at the provision of an exemption for agricultural or horticultural use and that all Local Authorities were required to follow the rules as laid down in the RZLT guidelines. The only aspect that could be reviewed, he said, was in relation to the core strategy where if for sound core strategy reasons there was a need to amend designated zonings.

Cllr N Crossan queried as to when the map with all designated land zonings had been forwarded to the Department and whether or not zonings could be changed prior to submission.

Cllr Sweeny outlined the need to look more closely at the language in the Greenway Strategy particularly in relation to the scope and definition of a

Greenway. This, he said, might make the provision of a lesser size Greenway or Cycle Track more viable and thus get better value for money with a lesser standard.

Cllr Canning asked that consideration be given to the provision of an exemption with regard to the 5-metre set back clause and where the relevant vision lines were in place and the hedging sufficiently low.

Cllr Kennedy asked what the possibilities were for the development of hotel facilities in rural areas and in particular where the facility in question exceeded the designated 10-bedroom quota.

Cllr Brogan said it was imperative that a representative from the Water & Environment Section attended plenary meetings. He requested clarity on the ongoing situation and an update, as, he said, members and employees were not up to speed on the overall transition of staffing to Irish Water. This, it was noted, could be progressed through the Corporate Policy Group.

Mr Eunan Quinn, Senior Planner informed members of the following:

- That the 5-metre set-back distance could be looked but only where all health and safety aspects had been complied with.
- The RZLT mapping, he said, had been published. and the next stage was amendments and deletions. Mr Paul Christy, Senior Executive Planner stated that it would not be possible to remove anything from the map at this stage. He noted however that there would be an annual review of the mapping going forward and that as soon as the Council adopted the new plan, then the tax map would be reviewed on foot of the revised zonings.
- In reply to a query by Cllr N Crossan, he said that the RZLT map for Buncrana was based on the current adopted plan.
- It was noted that provision for the development of hotel facilities in rural areas was provided for and identified on page 160 of the Draft Plan.
- He confirmed that a Traffic Light System for development purposes would be presented at the MD workshops and that it would be possible to get a consolidated version for presentation at plenary level.

Mr Liam Ward, Director Community Development & Planning Services acknowledged that the whole area of dereliction was one where the Council needed to apply further attention and resources. A number of people, he noted, were to be appointed into new roles, and the plan was to tackle the problem on a phased basis using the powers available under the Derelict Sites Act and the Compulsory Purchase Order procedure. He confirmed that an appointment had been made to the Town Regeneration Officer post and that the recruitment of a Vacant Homes Officer was underway. This team he said, would be supported with a planning

resource as there was a considerable amount of work to be done on the matter going forward.

He asked members to take note of the fact that the plan once signed off at the May meeting would be the one on which the Environmental Report would be based. This, he confirmed, would not be open to a further range of changes at the July meeting. If that scenario arose, he said it would push the whole process back and further environmental reports would have to be produced. The May meeting, he advised, was thus a critical juncture for the Draft Plan.

Cllr Jordan in relation to Irish Water said that they had to be in possession of up-to-date information on each town and village in the county and that this should be sought and incorporated into the plan together with the associated investment plans and the timescale for the upgrading of water and sewage plants. This, he said, would ensure that when the plan went out to public consultation that people would be able to get information on the capacity within each town and village and the status of any future investment plans. He enquired as to the possibility of including same in the new Draft Development Plan.

The Chief Executive said that this would be a difficulty for the May meeting and that a more considered approach was needed.

Mr Liam Ward, Director Community Development & Planning Services said that it would be possible to seek this level of detail but that he was unsure if this could be delivered by the 29th May.

This concluded the business of the meeting.