

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na gCruinnithe  
Aras an Chontae  
LEIFEAR

08 Meán Fómhair, 2008

**FOGRA CRUINNITHE**

Beidh Cruinniú Speisialta den Chomhairle ar siúl Dé Luain 15 Meán Fómhair, 2008 ag 11.00 le plé a dhéanamh ar na hábhair atá sa Chlár leis seo.

**Mise, le meas**

**A. MacSuibhne  
Riarthóir Cruinnithe (RÚNAI CHONTAE)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
LIFFORD.

08 September, 2008

**NOTICE OF MEETING**

A Special Meeting of Donegal County Council will be held on Monday 15<sup>th</sup> September, 2008 at 11.00 am in the County House, Lifford.

**TO EACH MEMBER OF DONEGAL COUNTY COUNCIL**

**Dear Councillor**

You are summoned to attend this meeting of the Council. The Agenda is attached.

**Yours sincerely**

**E. Sweeney  
Meetings Administrator**

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## AGENDA

1. ***Planning & Economic Development***

That Donegal County Council resolve to make the Amendment to the Ballybofey/Stranorlar Local Area Plan 2005-2011 in conjunction with the recommendations in relation to the Material Alterations set out in the Recommendations Booklet and at Sections 3 of the Manager's Report in accordance with the Planning & Development Acts 2000-2006.

MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY  
COUNCIL, HELD IN THE COUNTY HOUSE, LIFFORD ON 15<sup>th</sup>  
SEPTEMBER 2008.

C/371/08     MEMBERS PRESENT

Clrs. Alice Bonner, Deputy Mayor, D. Alcorn, L. Blaney, E. Bonner, J. Boyle, C. Brogan, B. Byrne, M.T Gallagher, J. Harte, J. Kelly, J. Kennedy, D. Larkin, N. Mc Bride, M. Mc Donald, I. McGarvey, D. Mc Gonagle, P. Mc Gowan, P. Mac Lochlainn, B. O' Neill, T. Pringle, T. Slowey.

C/372/08     APOLOGIES

Apologies were received from the Mayor, Clr. Crawford who had to attend a previous engagement and also from Clr. F. Conaghan, P. Doherty, R. Donaghey, S. Mc Eniff, B. Mc Guinness, who were unable to attend the meeting.

C/373/08     OFFICIALS IN ATTENDANCE

Mr. Francie Coyle, Director of Planning and Economic Development, Mr. Gerry Richards, Senior Planner, Ms. Helena O' Toole, Senior Planner, Mr Denis Kelly, Senior Planner, Mr. Eunan Quinn , Senior Executive Planner, Ms Catherine Mc Laughlin, Assistant Planner, Ms Carol Margey, Assistant Planner, Mr. Eunan Sweeney, Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/374/08     ADJOURNMENT OF MEETING

On the proposal of Clr. McGowan, seconded by Clr. A. Bonner, it was resolved to adjourn the meeting.

C/375/08     AMENDMENT TO BALLYBOFEY/STRANORLAR  
LOCAL AREA PLAN

Mr. Francie Coyle, Director of Planning and Economic Development referred to the Mayors report on submissions made in respect of Material Alterations to the proposed amendment to the Ballybofey/Stranorlar Local Area Plan 2005-2011 circulated with the agenda and advised members that a total of 47 submissions had been received as a result of the public consultation process and that the proposed material alterations must now be considered.

### Material Alteration 1

Clr. A. Bonner alluded to the importance of protection of local amenities and outlined the necessity of protecting the Golf Club lands so as to allow for the expansion of the amenity.

On the proposal of Clr. Mc Gowan, seconded by Clr. O'Neill, it was resolved to reject the County Manager's recommendation and adopt Proposed Amendment 20a subject to the incorporation of the changes set out in Material Alteration 1, as published.

### Material Alteration 2

Mr. Francie Coyle, noted that there had been considerable interest in relation to the proposed alteration and advised that the County Manager's recommendations were clearly outlined in the report circulated.

Clr. Mc Gowan advised that there was a need for sensitivity not only in relation to Lafferty's Field but also in relation to the Martyr's Monument. It was he asserted imperative that an area be set aside for the development of Playground Facilities, a Town Park and associated walks.

It was proposed by Clr. Mc Gowan, seconded by Clr. A. Bonner, to accept, in part, the County Manager's recommendation and adopt proposed amendments 9 & 10 subject to the modification of Material Alteration No. 2 as follows: -

1. Rezone 'Residential Amenity Zone 1' to 'Active Open Space/Recreation and Amenity'.
2. Rezone 'Residential Amenity Zone 2' to 'Historical and Cultural Heritage Area'.
3. Rezone 'Residential Amenity Zone 3' to 'Historical and Cultural Heritage Area'.
4. Rezone 'Archaeological Zone' to 'Historical and Cultural Heritage Area' and extend this zoning to include lands indicated at points 2 & 3 above, as well as the remainder of the 'Martyrs Field', the field between the footbridge and the woods and an area of land to the west of the 18<sup>th</sup> Century House.
5. Remove the policy text associated with the Archaeological Zone and replace with the following:

4. Historical and Cultural Heritage Area.

This area as set out in the Masterplan Framework is of vital importance in terms of its rich historical and cultural heritage value to the Twin Towns and Finn Valley region. It is important to safeguard this heritage resource with a view to harnessing the unique history of the area to the benefit of the twin towns as well as its cultural and tourism potential into the future. Given the historical value and cultural significance of this area and the need to protect both the existing archaeological features and the potentially unknown features within this area it is considered appropriate to protect this area from new development.”

To omit the proposed zoning and re-examine the Lafferty’s field to provide for the preparation of a Masterplan, setting out a strategic brief for the development of this important area. This Masterplan shall be commenced within one year of the adoption of this amendment to the Local Area Plan.

Clr. Mac Lochlainn expressed concern at the omission of the proposed zoning for Lafferty’s Field and queried whether or not the proposal was in the interests of the wider community. An amendment was then proposed by Clr. Mac Lochlainn, seconded by Clr. Gallagher “That the County Manager’s recommendation in relation to Material Alteration No. 2 be adopted in its entirety.”

Mr. Eunan Sweeney, Meetings Administrator advised that a show of hands would be taken firstly in relation to the Amendment.

This resulted in 2 voting for with 14 against.

The Deputy Mayor declared the amendment lost.

A show of hands was then taken in relation to the Motion with 14 voting for and 2 against.

The Deputy Mayor declared the motion carried.

Material Alteration 3

On the proposal of Clr. Mc Gowan, seconded by Clr. Slowey, it was resolved to accept the County Manager’s

recommendation and adopt Proposed Amendments 15 & 16 subject to the incorporation of the changes set out in Material Alteration 3, as published

Material Alteration 4

On the proposal of Clr. Slowey, seconded by Clr. Mc Gowan, it was resolved to accept the County Manager's recommendation and adopt Proposed Amendments 15 & 16 subject to the incorporation of the changes set out in Material Alteration 4, as published.

Material Alteration 5

On the proposal of Clr. Gallagher, seconded by Clr. Mc Gowan, it was resolved to accept the County Manager's recommendation and adopt Proposed Amendments 24 & 25 subject to the incorporation of modifications and texture additions to Material Alteration 5, as follows: -

- To remove the residential/neighbourhood retail element from the zoning of these lands
- To retain only part of these lands for the purposes of Education, Community and Amenity use only
- To rezone the field to the Northeast of the subject lands comprising 4.8 acres from "Education and Mixed Use" to "River Corridor, Recreation and Amenity" as originally proposed.
- To rezone the remainder of these lands, i.e. the field comprising 13.7 acres adjoining Millbrae Road from "Education and Mixed Use" to "Education, Community and Amenity".
- Insert new policy text 'CR15: Education, Community, and Amenity' at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, as follows:

"CR15: "Education, Community and Amenity."

The word 'sport' to be inserted into the new policy heading so that it reads, 'CR15 Education, Community, Sports and Amenity.

This zoning relates to lands adjacent to Dreenan Bridge. The subject lands comprise various environmental assets including floodplain, disused rail line, nearby River Finn and abutting SAC corridor. In

order to take advantage of these environmental constraints, the provision of detailed development criteria is considered necessary to ensure that this area is developed in the most appropriate and beneficial manner. These criteria are set out as follows: -

- a) The subject lands shall be developed with the primary focus of education provision, as such any community provision shall be ancillary to or secondary to the educational use.
- b) The word 'sports pitches' to be inserted into point b so that it reads,  
'b) The amenity element shall be located at the southernmost portion of these lands to provide for a riverside walkway, sports pitches and open space provision.'
- c) The educational and community element shall be located at the northernmost portion of these lands, furthest away from the flood plain.
- d) The disused railway line which is a proposed walkway/cycle path running along the Northern part of these lands shall form an integral part of any development proposals and shall provide for safe public access and linkage through the subject lands.
- e) Development proposals on these lands shall have regard for the river corridor recreation, amenity and open space area as well as the SAC and the flood plain.
- f) Development proposals on lands within the flood plain shall not comprise built form.
- g) Key access points, grid linkages, high permeability and walking/cycling shall feature strongly in terms of movement through the space.
- h) Proposals shall ensure the provision of pedestrian/cycle access points to adjoining lands or areas.

On the proposal of Clr Gallagher, seconded by Clr McGowan it was resolved to insert the following textual additions: -

### Material Alteration 6

On the proposal of Clr. O' Neill , seconded by Clr. A. Bonner, it was resolved to accept the County Manager's recommendation and adopt Proposed Amendments 24 & 25 subject to the incorporation of modifications to Material Alteration 6 in relation to sites A, B,C, as follows: -

“Insert a new policy, namely, ‘CR14: Masterplan Areas A, B & C’ at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, as follows:

“CR14: Masterplan Areas A, B & C:

- Within Masterplan Area A, 12 acres shall be reserved for educational purposes
- Within Masterplan Area B, lands shall not be reserved for educational purposes
- Within Masterplan Area C, 5 acres shall be reserved for educational purposes
- All lands within these Masterplan Areas, including Masterplan Area B, shall be subject to the preparation of a Masterplan by the developer to be agreed with the planning authority at pre-planning stage.

Each Masterplan shall make the following provisions:

- i. Identification of the most appropriate lands to be reserved for educational purposes (the acreage of which has been stipulated above), taking into account, landscape characteristics, access, neighbouring uses, etc.
- ii. The layout of these areas shall take cognisance of the location of the educational reserve allowing for efficient, safe and where possible multiple access routes for pedestrians, cyclists and public transport.
- iii. Remaining lands (including all of Area B) shall comprise high quality mixed development taking full account of neighbourhood needs. Uses shall include residential provision and the incorporation of a Multi Use Games Area (MUGA). Uses may include the following: childcare provision, sports facilities, community offices/buildings, recreation and amenity facilities, children's playground, and neighbourhood

- retail, for examples, local shop, hair salon , café, and pharmacy.
- iv. Design and layout of proposals shall ensure the creation of a strong public realm and a distinctive sense of place.
  - v. Key access points, grid linkages, high permeability and walking/cycling shall feature strongly in terms of movement through the space.
  - vi. Proposals shall ensure the provision of pedestrian/cycle access points to adjoining development or adjoining lands where uses are compatible, i.e. are used for or zoned for the purposes of Established Development, Residential, Town Centre, Recreation, Amenity and Open Space, Walkways, Trails and Cycle paths, River Corridor Recreation and Amenity, Masterplan, Primarily Community or Opportunity Site.
  - vii. Proposals shall ensure that the mix of uses work together harmoniously through layout and design.
  - viii. Proposals shall demonstrate strong building lines, strong frontage, the creation of quality streetscape, appropriately located vehicular and pedestrian routes, dual and triple aspect buildings and latent overlooking to ensure informal surveillance of the public and semi-public areas within the site, thereby ensuring safety and the prevention anti social behaviour.”

On the proposal of Clr. Mc Gowan, seconded by Clr. A. Bonner, it was resolved to accept the County Manager’s recommendation and adopt Proposed Amendments 24 and 25 subject to the incorporation of modifications to Material Alteration 6 as follows:

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- Rezone site D as:  
‘Opportunity Site 4: Linking Donegal Rd & Glenfin Rd.’
- Insert a new policy namely ‘OPP 4: Linking Donegal Rd & Glenfin Rd’, on page 39 of the Ballybofey/Stranorlar Local Area Plan 2005-2011 as follows.’

#### OPP 4: Linking Donegal Rd & Glenfin Rd.

As part of any development on the lands falling within Opportunity Site 4, a Masterplan shall be prepared by the developer and agreed with the planning authority at pre-planning stage.

The Masterplan shall make the following provisions:

1. Provide a Link Road between the Glenfin Road and the Donegal Rd. The design of which is to be agreed with Donegal County Council and opened to the public prior to the commencement of any development works on actual buildings within the subject lands.

2. The link road shall be incorporated into a tight urban grain and provide for minimal setback and the creation of a strong public realm, with a strong active frontage along its entirety. The link road may be appropriately routed through the centre of these lands to create frontage on either side.

3. Uses to be provided on these lands shall comprise of:

- A Retail Park for the sale of bulky household goods, including carpets, furniture, automotive products and white electrical goods and DIY on approximately 5 acres
- A community/residential area comprising an integrated approach to residential provision incorporating all the needs associated with neighbourhood centres but mixing them through the residential provision to create living streets on approximately 7 acres

4. The bulky retail park shall make provision for the creation of a strong, attractive and active frontage onto the link road and along the road(s) leading to the car parking provision, which, aside from parallel on street parking shall be located to the rear.

5. The buildings associated with the bulky retail park shall comprise a high quality design and shall utilise the lands in the most efficient manner by increasing building height to 2-3 storeys rather than the 1-storey type buildings associated with this type of use. Other measures shall include the provision of grouped carparking, either multi-storey or underground.

6. Uses within the community/residential area shall include residential provision and the incorporation of a Multi Use Games Area (MUGA). In line with the community/residential approach of incorporating neighbourhood uses within the residential provision, the following uses may be included: childcare provision, sports facilities, community offices/buildings, recreation and amenity facilities, children's playground, and neighbourhood retail, for example, local shop, hair salon, café, pharmacy, video shop.

7. Design and layout of proposals shall ensure the creation of a strong public realm and a distinctive sense of place.

8. Key access points, grid linkages, high permeability and walking/cycling shall feature strongly in terms of movement through the space.

9. Parallel on-street car parking shall be used as one of the tools to ensure streets are safe and active.

10. Proposals shall ensure the provision of pedestrian/cycle and vehicular access points (vehicular only where appropriate) to adjoining development or adjoining lands where uses are compatible, i.e. are used for or zoned for the purposes of Established Development, Residential, Town Centre, Recreation, Amenity and Open Space, Walkways, Trails and Cycle paths, River Corridor Recreation and Amenity, Masterplan, Primarily Community or Opportunity Site.

11. Proposals shall ensure that the mix of uses work together harmoniously through layout and design.

12. Proposals shall demonstrate strong building lines, strong frontage, the creation of quality streetscape, appropriately located vehicular and pedestrian routes, dual and triple aspect buildings and latent overlooking to ensure informal surveillance of the public and semi-public areas within these lands, thereby ensuring safety and the prevention anti social behaviour.

13. Proposals shall ensure the protection of the residential amenity of nearby properties both built and proposed.

14. Proposals shall ensure integration with the site and surrounding landscape, by working with the contours,

by preparing comprehensive landscaping plans and by retaining existing site features.”

Clr. O, Neill stated that he was unhappy with the fact that Masterplan Area E had been reserved for educational purposes given that there was no apparent site access at present. Clr. A. Bonner concurred and noted that Senior Officers within the Department of Education and Science had previously commented on the unsuitability of Site E.

On the proposal of Clr. O’ Neill, seconded by Clr. A. Bonner, it was resolved to reject the County Manager’s recommendation and adopt Proposed Amendments 24 & 25 subject to the incorporation of modifications to Material Alteration 6 as follows: -

”To rezone Site E as “Opportunity Site 5, to provide for a mix of uses on these lands, which shall be subject to the preparation of a Masterplan by the developer which is to be agreed by the Authority at pre-planning stage.”

#### Material Alteration 7

On the proposal of Clr. Kennedy, seconded by Clr. Slowey, it was resolved to accept the County Manager’s recommendation and adopt Proposed Amendments 7 & 8 subject to the incorporation of the changes set out in Material Alteration 7, as published.

#### Material Alteration 8

On the proposal of Clr. Kennedy, seconded by Clr. Brogan, it was resolved to reject the County Manager’s recommendation and adopt Proposed Amendment 5, subject to the incorporation of the changes set out in Material Alteration 8, as published.

#### Material Alteration 9

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to reject the County Manager’s recommendation and adopt Proposed Amendment 5, subject to the incorporation of the changes set out in Material Alteration No. 9, as published, and subject to a 10 m increase

in the width of buffer zone along the River Finn from 30m to 40m.

*Material Alteration 10*

On the proposal of Clr. A. Bonner, seconded by Clr. Kennedy, it was resolved to reject the County Manager's recommendation and adopt Proposed Amendment 13 subject to the incorporation of the changes set out in Material Alteration 10 as published.

On the proposal of Clr. Kennedy, seconded by Clr. O'Neill, the Council resolved to make the Amendment to the Ballybofey/Stranorlar Local Area Plan 2005-2011, subject to the amendments in the Manger's Report and amendments adopted at the meeting in accordance with the Planning and Development Acts 2000-2006

Clr. A Bonner thanked Mr. Francie Coyle Director, Planning and Economic Development and the staff of the Central Planning Unit for their continuing hard work and dedication to the project.

This concluded the business of the meeting.