

CHAPTER 5 HOUSING

5.1 BACKGROUND

Donegal is a predominantly rural County with some 68% of the population living in villages below 600 population or in rural areas, compared with 32% in the Southern and Eastern Region as defined in the National Spatial Strategy 2002. On a national rate of growth many rural areas in Donegal are experiencing continuing population decline due to urbanisation and the need to leave the County for employment and third level educational purposes. Donegal's rural areas contain a diversity of communities and landscapes, with varying degrees of pressures and problems along side many opportunities. Consequently, many rural areas in Donegal have an unfavourable age structure, fail to gain access to an adequate share of investment and frequently experience extreme forms of marginalisation. The existing high dependency on part time farming and seasonal tourism as a form of employment and a general County wide lack of employment diversification together with a continued out-migration of individuals with higher level education has and will continue to undermine the economic structure of the County¹.

Donegal has an admirable environmental quality, which takes in the natural and built environment coupled with landscapes of outstanding natural beauty, which requires careful management. A delicate balance is needed between continued sustainable growth and the maintenance of environmental and heritage assets.

One of the largest Gaeltachts in the Country is located in west Donegal with a very distinct culture yet is highly peripheral in its nature. These areas tend to lack amenities, educational provision and employment opportunities that restrict the area from developing to its full potential. Gaeltacht areas need to be preserved as a place for speaking Irish, and for the conservation of the unique part of our culture that can be accredited to these areas.

The National Spatial Strategy² (NSS) clearly identified the structural imbalance in Donegal in terms of a weak agricultural base and weak urban structure that has contributed to the population decline mentioned above and the increasing economic decline experienced throughout the County in recent times. Donegal has been designated as a sub region with a hinterland, which stretches into North Leitrim and Sligo and the North Western part of Northern Ireland. The key settlement of this sub region is the linked Gateway of Derry/Letterkenny. Many towns and villages surrounding key urban settlements such as Letterkenny have come under pressure for housing in recent years. The NSS recognised the need for the strengthening of structurally weak areas and in particular the villages and towns in these areas. It recognises that distinctive settlement patterns have evolved in the form of small rural settlements and that there is a necessity to highlight this distinctiveness while at the same time protecting valuable landscape resources and reinforcing rural communities. Hence, by developing weaker rural areas more attractive conditions can be created that will attract investment for rural development in the future and help sustain such areas and communities. Likewise, strong rural areas will be encouraged to develop further in order to sustain the existing and future populations in these areas and the benefits which they provide in terms of local services and infrastructure for the surrounding rurally weak areas.

¹ Ireland National Development Plan 2000-2006

² The National Spatial Strategy

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The Planning Authority through the implementation of its planning policies will aim to address issues such as rural de-population, the decline of Gaeltacht areas and economic decline by promoting the development of rural towns and villages as key settlements that provide for the physical, social and economic needs of the people in these towns and villages and the surrounding hinterlands. Within such areas Local Area Plans will zone land within towns and villages for housing, employment, recreational and community facilities etc.

There is a long tradition of living in the countryside in Donegal and it is anticipated that this trend will continue to grow. The Planning Authority supports the Minister of Environment, Heritage and Local Government, Sustainable Rural Housing Guidelines in conjunction with the National Spatial Strategy's objective that states that every individual in rural areas will be given the opportunity to live on a permanent basis in the area in which they were born or raised, and/or who are part of and contribute to the rural community. The NSS also recognised the development of Urban Generated Rural Housing, which tends to be located in the rural countryside located adjacent to the identified Hubs and Gateways (NSS). Development driven by urban pressures should take place within built up areas or on lands identified, through the development plan process, for integrated, serviced and sustainable development. New development in these centres should aim to promote a high quality living environment and enhanced public transport usage in preference to increasing reliance on car based commuting. While it is imperative to control the debilitating impact of Urban Generated Rural Housing consideration will be given to individuals with roots in the area who wish to reside in areas under strong urban-based pressures. It is paramount that the rural housing policy ensures that each new housing development is individually located within its rural setting and, by good siting and design, harmonises with it. Residential developments in rural areas should be for single houses only. Multiple dwellings (2 or more) will be encouraged to locate in towns and villages.

GOAL

To facilitate and support the provision of a satisfactory standard of accommodation for the population of Donegal in towns and villages where essential services and infrastructure can be maintained and/or easily provided. To cater for the housing requirements of individuals in rural areas who demonstrate a housing 'need' for permanent housing and to facilitate appropriate holiday home development while ensuring a balance with permanent housing.

OBJECTIVES

- To support and encourage the development of towns, which function primarily as service centres to the rural hinterland and which have the potential to become urban development nuclei.
- To build up the critical mass of towns and villages in an attempt to reduce rural decline and to retain and improve the key facilities, which in turn serve the wider rural community.
- To identify a list of towns, which are under considerable pressure for housing development due to the urban influence, which will fall within the scheduled Local Area Plan programme to take account of special requirements of local rural areas and to ensure that local planning is evenly distributed.
- Ensure the control of ribbon development in areas close to towns and villages.

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- Ensure that new housing development(s) in towns and villages are of the appropriate scale, layout, quality design and that they relate to the character and form of settlement in question.
- To facilitate where possible the strengthening of existing rural villages, which have the potential to provide for local services.
- To contribute to the consolidation and retention of social infrastructure in rural areas.
- To consolidate the rural population in areas under pressure from holiday home development and the gravitational pull of larger centres, i.e. Letterkenny.
- To contribute to the viability of towns and villages through Urban and Village Renewal Programme, particularly through use of derelict and infill sites.
- To optimise use of existing and proposed public infrastructure investment.
- To respect the landscape character of the County and the natural, built and archaeological heritage and to contribute to the erection of the highest quality built environment.
- To acquire an adequate land bank of suitably located housing land for social housing and to facilitate housing development by the private and voluntary sectors.
- To provide for the provision of accommodation for travellers and the use of particular areas for that purpose.
- To facilitate applicants applying for permanent residential development in rural areas.
- To encourage the development of local amenities/services, infrastructure and public transport linkages with the larger urban settlements to help sustain rural communities.
- To support the economic viability and vitality of towns and villages, which are primarily agricultural, tourist and fishing areas and to retain existing communities while safeguarding these lands and land-uses, which are appropriate to the countryside and coastal areas.
- To ensure that all new housing development(s) respect the key rural assets such as natural, built and cultural heritage and landscape quality.
- The protection of designated heritage sites such as proposed Natural Heritage Areas (pNHAs), candidate Special Areas of Conservation (cSACs) and candidate Special Protection Areas (cSPAs).
- The protection of the integrity of visually vulnerable areas and sensitive rural landscapes and scenic routes affected by defined views and prospects.
- The protection of key natural assets, such as surface and ground water and aggregate or mineral reserves.
- To ensure the protection of key transport corridors and routes with particular regard to the National Primary and Secondary Routes.
- To ensure that the physical standards are complied with in terms of availability of a quality water supply, soil suitable for proper effluent disposal.
- To ensure that there is adequate infrastructure to service the development.
- To ensure new housing development(s) comply with the Development Guidelines and Technical Standards set out in Appendix A.
- To explore and implement the use of renewable energy within the current housing programme.
- To explore and implement the use of sustainable construction methods/materials e.g. rain water harvesting, within the current housing programme.

5.2 POLICIES AND PROPOSALS

5.3 POLICY UB1: URBAN HOUSING

Urban housing location policy focuses on new housing development within the control points for towns and villages (as shown on the 'Town and Village Control

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Point Maps' Booklet Appendix F refers, or as defined in the adopted Local Area Plans), which are defined for the purpose of this Plan. Multiple higher density housing developments will only be permitted within the defined control points, which form a development envelope for each settlement. These development envelopes are identified by means of control point demarcation on the main approach roads to the settlements, rather than as a defined enclosure to the settlements. For clarity, it is noted that control points take precedence over areas of Especially High Amenity (EHSA's).

In the implementation of the control point policy, the access to the development and all of the development shall be located within the Control Points. However, where the applicant can demonstrate that the proposed development site is bounded by existing natural and/or manmade features (i.e. rivers, topographical features, hedgerows, trees, walls), consideration may be given for up to a maximum of 10% of the total development area, to be located outside the Control Points. In all cases, the site access and a minimum of 90% of the total development area shall be required to be clearly located within the Control Point.

Current government measures to facilitate an increased supply of housing through,

- The Serviced Land Initiative
- The Affordable Housing Scheme
- The Town Renewal Scheme

will be applied within relevant towns and villages.

Large scale residential development in smaller towns and villages will be managed to ensure that recreational, educational, health and commercial facilities are adequate to meet the needs of the expanding population, in addition to the physical requirements of roads, water and sewage. Proposals for large scale development particularly apartment complexes, in small towns and villages will be required to be of a form and scale that is not incongruous to the character of the settlement.

Housing schemes for permanent occupancy shall be supported by a Section 47 Agreement regulating the occupancy and permitting up to 30% of nominated houses for rental purposes.

All control point settlements, with the exception of Drumoghill and Tievebane, shall be subject to a housing quota wherein the number of new housing units shall not be permitted to exceed 50% of the number of existing and permitted housing units within the control points at the time of adoption of the plan. The policy shall also be implemented within the Donegal County Council administrative area situated between the boundary in respect of Buncrana Town Council and the Buncrana control points and also between the boundary in respect of Bundoran Town Council and the Bundoran control points. In the case of Drumoghill, the number of new residential units within the control points shall not be permitted to exceed a total of 75 no. new dwellings. In the case of Tievebane the number of new residential units within the control points shall not be permitted to exceed a total of 83 no. new dwellings.

This policy excludes settlements that are the subject of an adopted development plan or Local Area Plan and those settlements that have a Plan adopted during the life of the County Development Plan.

Where a control point is located within the areas designed as 'Urban Generated Rural Housing', (refer to Policy RH4: UGRH) applications for planning permission for multiple residential developments will be required to demonstrate how they contribute to the long-term provision of services and infrastructure within the

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control point. In the absence of appropriate services and infrastructure, the development will be deemed to be premature. In line with this policy, a long-term strategy for the provision of adequate services and infrastructure within the control points located within 'Urban Generated Rural Housing' areas shall be co-ordinated by the Planning & Economic Development Directorate in conjunction with the Water, Environment & Emergency Services Directorate, the Roads and Transportation Directorate, the Housing and Building Directorate and the Community, Culture & Enterprise Directorate. In the intervening period between adoption of the Plan and establishment of a long-term strategy, applicants (for multiple development) will consult with each Directorate referred to above prior to submitting a planning application. Having regard to the Council's policy within areas designated as 'Urban Generated Rural Housing' where the Council are focusing new residential development to towns and villages, this policy will ensure the proper and planned provision of all services in line with new residential growth.

Proposals for single permanent houses for members of the local community will be facilitated outside this policy constraint in relation to the provision of infrastructure and services. Where the house quota limit is reached prior to any review, single permanent houses for members of the local community will be permitted to exceed the quota within the control point area. Applications of this nature will be subject to a Section 47 Agreement.

The baseline number of units that exists within the control points at the time of adoption of the County Development Plan shall be established by the Planning Office.

The policy shall be reviewed within 1 year of adoption of the plan and where the rate of development in any particular settlement(s) suggests the quota should be reviewed, this will be done through a local area plan.

Where the quota is increased, developers will be required to pay the full economic cost of increased services, including social services.

Within the quota system, the maximum development, which will be permitted to an individual developer will be limited to 20% of the new house quota.

It is the policy of the County Council to ensure that place names for new housing schemes shall be provided in conjunction with the Place Names Committee and names shall reflect the local townland utilising its Gaelic version or that of a local focal point.

Village renewal will be strengthened through the close integration of housing policy and programme with the Urban and Village Renewal Programme.

Acquisition and development of derelict sites for small infill housing developments (both public and private) will form part of the approach, together with encouragement of redevelopment of existing properties. Sites on the Councils Register of Derelict Properties will be assessed to determine whether the proper planning and development of the area would warrant acquisition and redevelopment of such properties for housing purposes.

In multiple housing developments in urban areas an access road/entrance shall not be permitted to serve in excess of 100 units/dwellings for any one housing scheme.

Holiday home development in towns and villages shall be monitored so as to ensure a balance between holiday homes and permanent homes. In this regard the policies set out under RH6-1 through to RH6-5 shall apply.

Proposals for all new housing estate development shall comply with Appendix A, Development Guidelines and Technical Standards, section 1 and shall have regard to the DoEHLG publication, 'Quality Housing for Sustainable Communities', Best Practise Guidelines for Delivering Sustainable Communities, 2007.

5.4 POLICY UB 2: PROVISION OF PUBLIC HOUSING AND HOUSING LAND BANKS

The provision of public housing will be guided by a five year housing construction programme based on assessment of housing needs and preference in each Electoral Area. Housing units may be constructed directly by the Council or acquired from the private sector. The emphasis in smaller towns and villages will be on small scale housing schemes integrated into towns and villages rather than large greenfield sites.

The County Council will pursue a planned maintenance programme for its own stock, with strong emphasis on tenant maintenance. It is the policy of the County Council to seek to develop small Local Authority owned housing schemes (including turnkey schemes) voluntary and social housing on lands within a 1km distance of community facilities (e.g. churches, schools) for the benefit of the local population.

In the case of turnkey schemes it will be necessary for the applicant to sign a Section 47 Agreement, prior to the granting of any planning permission, to secure the use of the land for social and affordable housing purposes.

The County Council will initiate a land bank acquisition programme to meet the following needs:

- Provision of Affordable Housing
- Facilitating Voluntary Housing developments
- Social Housing Programme
- Facilitating development of private housing
- Making best use of derelict property

This land acquisition will include acquisition of backlands in towns and villages to facilitate promotion of the sustainable use of land. It is the policy of the County Council to seek to develop small Local Authority owned housing schemes (including turnkey schemes) voluntary and social housing on lands within a 1km distance of community facilities (e.g. churches, schools) for the benefit of the local population.

In the case of turnkey schemes it will be necessary for the applicant to sign a Section 47 Agreement, prior to the granting of any planning permission, to secure the use of the land for social and affordable housing purposes.

Where sites of less than 0.75 hectares are acquired up to a maximum of 35% of the land may be set aside to meet the needs of Social Housing with the remainder being reserved for a mix of Affordable, Voluntary & Private Housing or resold for private development

The County Council will target a variety of potential purchasers of these houses, such as

- Existing residents who might move elsewhere for appropriate private housing.
- Children from Local Authority estates in the area as they enter the household formation age.

- New comers to the area, who wish to live permanently in the village.

Housing Allocation in Gaeltacht Areas

With regard to Gaeltacht Areas the County Council shall;

- Seek to facilitate the provision of housing for those who use the Irish language as their primary means of communication, by Housing Associations and similar organisations.
- Review the County Council's scheme of letting priorities for allocation of houses within one year of adoption of the plan and have regard to the protection of the linguistic and cultural heritage of the Gaeltacht.

5.5 POLICY UB 3: CAPITAL DEVELOPMENT PROGRAMME URBAN & VILLAGE RENEWAL PROGRAMME 2005 – 2007

Urban & Village Renewal Programme

The National Spatial Strategy 2002-2020 places a high degree of emphasis on creating living environments of the highest quality through attention to detail in urban design, integration of amenities, facilities for children, older persons and sections of the community with special needs. This objective is transposed to the County Development Plan through the Urban and Village Renewal Programme.

The Department of Environment and Local Government approved the Strategic Framework Document for the Urban and Village Renewal Programme in County Donegal 2000-2006, submitted in May 2001. This document sets out the programme of towns and villages across the entire County, which are targeted for renewal works etc. in the lifetime of the programme.

The remainder of this programme will see an investment of an estimated €6m in total and will provide for significant environmental improvements and renewal works in many towns and villages throughout the County. In view of the substantial investment required to complete this programme, and in particular the Urban centres, it is envisaged that the programme will run to the end of 2007. Details of the centres to be targeted in the 2005-2007 period are set out below.

The works involved in Town and Village Renewal Projects are in the main environmental improvement works, which act as a catalyst for economic and social renewal. Environmental Improvement works are also required in conjunction with major infrastructural works in towns i.e. water, waste water, roads etc. These works include the following:-

- Undergrounding utilities apparatus.
- Provision of street furniture.
- Landscaping works.
- Town Centre regeneration and "off street" car parking.

In order to deliver this extensive programme efficiently, the urban centres/towns are programmed on an annual basis as part funding for these Schemes is derived from Urban & village Renewal Measure of the Regional Operational Programmes 2000-2006 funding, and must be agreed in advance. The villages are prioritised in accordance with criteria as agreed by Members of the County Council on an annual basis or subject to the availability of funding which is derived a number of sources, such as An Roinn, Gnothaí Pobail Tuaithe agus na Gealtachta, Peace II, I.F.I. Udarus na Gaeltachta etc.

Towns & Village Programme 2005-2007

SUB-PROGRAMME 1 MAJOR CENTRES

2005	2006	2007
Rathmullan Ardara Moville Ballyshannon Milford Kilcar II Donegal (STI) Buncrana (STI) Bundoran (STI)	Convoy Killybegs Raphoe Castlefin	Carndonagh Lifford Letterkenny Glenties

STI = Seaside Towns Initiative.

Urban & Village Renewal Programme 2007 - 2012

A further Urban and Village Renewal Programme will be implemented during the period 2007-2012. The programme will be agreed by the County Council within one year of adoption of the Plan. The County Council will initiate a number of major flagship projects during the plan period. Other flagship projects may also be initiated in addition to those indicated hereunder.

Conservation and Regeneration Programme (2007 - 2012)

<u>Project Name</u>	<u>Estimated Cost</u>
Flagship Conservation Project Ramelton	€2 million
Dungloe Foreshore (Regeneration)	€2 million
Ardara Integrated Community Project	€1 million
Carndonagh (Barrack Hill) Regeneration Project	€2 million
Lifford Common, Regeneration Project	€2 million
Flagship Centre of Excellence for sport & Recreation in Stranorlar	€2 million
Town Centre Regeneration including new Car Park in Ballyshannon	€2 million
Seaside Villages Regeneration Programme	€5 million

5.6 POLICY UB4: TRAVELLER ACCOMMODATION

An "Accommodation Programme for Travellers" for the period 2005 - 2008 has been adopted by the County Council and will be reviewed before the end of 2008.

The present Housing need as identified in the Assessment of Traveller Needs carried out in July 2004 for the purposes of the said programme is as follows:

Electoral Area	Halting Sites	Scheme Housing	Group Housing	S.I. Cottage	Total
Letterkenny Urban	0	20	3	0	23
Letterkenny Rural	0	0	0	1	1
Donegal	2	11	2	0	15
Milford	1	3	0	1	5

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Inishowen	0	2	0	0	2
Glenties	0	0	0	0	0
Stranorlar	0	1	0	0	1
Total	3	37	5	2	47

The targets set out in the Programme indicate that the County Council intends to provide suitable accommodation for all indigenous families, who were identified in the Assessment of Travellers Needs in July 2004, over the period of the Accommodation Programme. It is envisaged that the following types of accommodation will be provided over the next 4 years.

- Permanent Halts
- Specific Instance/Individual Housing
- Group Housing
- Scheme Housing

The 47 families that are currently in need are accounted for in the targets to be met over the next 4 years.

Year	Permanent Halts	Scheme Housing	Specific Instance/ Individual Housing	Group Housing	Totals
2005	1	8	1	3	13
2006	2	8	1	2	13
2007	0	10	0	0	10
2008	0	11	0	0	11
Total	3	37	2	5	47

The Programme also identifies the need for the provision of at least three permanent transient sites in the County for the duration of the Accommodation Programme with one of these sites to be completed before the end of 2006.

The methodology outlined in Section 7 of the Traveller Accommodation Programme will apply in relation to the identification of sites/housing units.

Two Transient halting sites have already been identified utilizing this same methodology and will be subject to Part 8 procedures (Planning & Development Act 2000-2004) and associated public consultation. These sites are located at the Big Isle Letterkenny and at Elaghbeg, Burnfoot.

The Council held a public meeting on the issue of the site at the Big Isle, when the site originally opened as an emergency site in 2001. A further public meeting was also held in July 2005 to outline this Council's proposals for a permanent transient site at this location. A copy of the minutes of the July 2005 public meeting are available by contacting the Directorate of Housing/Building Services.

Since there were no public meetings held when the site at Elaghbeg was originally opened as an emergency site in 2001, the public meeting in relation to this site will be held in the context of the ongoing public consultation connected with the preparation of this Development Plan.

While it is a requirement for details of transient sites and certain group housing schemes to be included in this Plan, it is considered that small scale group housing

units/two single halts or individual dwelling do not need to be specifically listed in the Plan. With regard to the latter normal planning criteria will apply.

In the Programme, the following methodology will be applied for the development of sites/ housing units;

- Sites to be examined to ensure that they meet the requirements/parameters of the Council's Accommodation Programme for Travellers.
- Arising from the output of this review, details of the site to be presented to the Electoral Area Committee, the Local Traveller Accommodation Consultative Committee, the Housing Strategic Policy Committee, followed by the Council and Town Council.
- Following completion of detailed plans of proposed development, normal public consultation process under existing planning regulations to take place.
- Report on said consultation to be presented to members in the context of taking a decision as regards whether or not the proposed development should take place.

5.7 POLICY RH1: RURAL HOUSING

The County Council supports the Minister of Environment, Heritage and Local Government, Sustainable Rural Housing Guidelines in conjunction with the National Spatial Strategy's objective that states that every individual in rural areas will be given the opportunity to live on a permanent basis in the area in which they were born or raised, and/or who are part of and contribute to the rural community. While acknowledging the identification of weak and strong rural areas and areas subject to urban generated housing in the DoEHLG guidelines, the County Council consider that the weak and strong rural areas should be treated as a single entity in terms of rural housing development. In the context of the County it is considered that the differences in weak and strong rural areas are insufficient to warrant separate treatment.

Rural areas are defined as all areas outside of control points and defined town boundaries and environs (where relevant). Priority in these areas will be given to new permanent housing development.

5.8 POLICY RH2: RURAL AREAS OUTSIDE TOWNS AND VILLAGES

The policy of the Council is to promote quality one-off rural housing for permanent occupation by applicant demonstrating a bona fide 'need' for housing and the presumption in considering planning applications will be to grant permission except where such development will:

1. Create haphazard development or;
2. Create undesirable ribbon development or;
3. Injure the integrity of high scenic landscapes, designated areas (i.e. SAC's, SPA,s and NHA's) prospects and views or;
4. Will cause pollution of or endanger ground water sources or;
5. Will cause road safety problems or;
6. Contravene the standards for location, siting and design in the landscape accommodating the development.

The following are examples of individuals who will be considered as falling within the criteria for housing 'need' in rural areas;

1. An intrinsic part of the rural community, namely

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- Persons living in the rural area, in which they propose to build, as members of an established rural community e.g. farmers and their families, persons taking over the ownership or running of a farm
- Non-farming persons from rural areas.
- Returning immigrants, from the rural area in which, they propose to build, including members of their families.

“Rural Area” within the meaning of point No. 1 above is the DED of the application site or any DED of the adjacent 3 (in any direction).

2. Persons working full-time or part-time in rural area
 - Persons involved in full-time farming, forestry, inland waterway or marine related occupations.
 - Persons involved in part-time occupations where the predominant occupation is farming/natural resource related.
 - Persons whose work is intrinsically linked to rural areas such as teachers in rural schools or other persons whose work predominantly takes place within rural areas.

“Rural Area” within the meaning of point No. 2 above is the DED of the application site or any DED of the adjacent 3 (in any direction).

3. Persons from within control points and who can demonstrate that they have resided within the control point for a period of at least 7 years, who wish to build a dwelling in the vicinity of the town in which they live. Consideration of the term vicinity in this context shall be that the site proposed for development shall be located within the two DED's (in any direction) adjacent to the control point.
4. Person(s) who have a family owned business for two years within the control points and are ratepayers who wish to build a dwelling in the vicinity of the town in which their business is located. Consideration of the term vicinity in this context shall be that the site proposed for development shall be located within the two DED's (in any direction) adjacent to the control point.
This Policy shall be kept under review.
5. Persons who have legally owned the land (including immediate family members) in a rural area prior to 24th March 2000.
6. Persons with exceptional health circumstances- supported by relevant documentation from registered medical practitioners and a disability organisation- who requires to live in a particular environment or close to family support.
7. Returning emigrants (including persons returning from outside the County) who wish to build a house with the intention to return to reside there permanently. Prior to the return of the emigrant (and on which there is no time constraint) the dwelling can be for rental purposes for occupancy by persons from the local area or for use as a second home by the returning emigrant. (Section 47 Agreement will apply). Refer to 'Definitions' at 5.15 at the end of this Chapter for definition of returning emigrant.
8. Persons, including returning emigrants, wishing to build dwellings for rental purposes for occupancy by persons from the local area, or persons referred to above renting temporarily while their dwelling is being built. (Section 47 Agreement will apply).

Applicants will also be required to comply with the following criteria;

- Best Practice in relation to the Siting, Location, and Design of Rural Housing (See Appendix E: Location, Siting and Design: Rural and Urban).
- Public health suitability
- Traffic considerations
- Scenic amenity considerations
- A Section 47 Agreement under the Planning & Development Acts 2000-2004 will be required as part of all planning applications for new housing.

5.9 POLICY RH3: RURAL AREAS OF ESPECIALLY HIGH SCENIC AMENITY (EHSA)

In Rural Areas of Especially High Scenic Amenity favourable consideration will only be given to applicants who;

1. Persons (refer to definitions) who require a permanent house on family lands or immediate family members of such persons requiring a permanent house on family lands.
2. Persons who wish to refurbish a derelict/rundown dwelling for permanent or holiday home use.

The above applicants must complete a Section 47 Agreement under the Planning and Development Acts 2000–2004, which legally binds the applicant to a period of seven years occupancy. They must also demonstrate that the proposed dwelling integrates and can be absorbed into the landscape and/or form part of a cluster.

Applicants will also be required to comply with the following criteria;

- Bona fides in the form of a sworn affidavit outlining the applicant is an Immediate Family Member.
- Best Practice in relation to the Siting, Location, and Design of Rural Housing (See Appendix E: Location, Siting and Design: Rural and Urban).
- Public health suitability
- Traffic considerations
- Scenic amenity considerations

5.10 POLICY RH4: URBAN GENERATED RURAL HOUSING

In rural areas within commuting range of larger towns and cities such as the identified Hubs and linked Gateways as outlined in the National Spatial Strategy 2002-2020, the development of Urban Generated Rural Housing in the rural countryside is rapidly increasing. These areas display the greatest pressures for development due to their;

- Location in areas of considerable pressure for housing development and proximity to the immediate environs or close commuting catchment of large towns/villages.
- Proximity to major transport corridors with ready access to the urban areas.

Consequently, this results in pressure on local infrastructure and leads to urban sprawl into the rural hinterland from the urban area. The areas in Donegal affected by Urban Generated Rural Housing are identified as;

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- Those lands outside of Letterkenny and the City of Derry (see Map attached).

In order to deal with these residential trends the National Spatial Strategy states that Local Authorities must include measures to improve the attractiveness of towns and villages, with a view to improving housing supply, affordability and design quality in towns and villages. Development driven by urban pressures should take place within built up areas or on lands identified, through the development plan process, for integrated, serviced and sustainable development. New development in these centres should aim to promote a high quality living environment and enhanced public transport usage in preference to increasing reliance on car based commuting.

The following criteria are required for **Urban Generated Rural Housing** by persons who wish to live/reside in these areas;

- A. The applicant must demonstrate that they have "roots" in the area. In this regard "area" is defined as being the DED of the application site or any DED of the adjacent two DED's (in any direction). The area does not however, include lands within:
- Control Points of towns/villages, unless either the applicant or their parents or grandparents resided there for a period of 7 years.
 - Lands within the boundaries of the Letterkenny & Environs Development Plan (2003–2009).
 - Lands within Buncrana & Environs Development Plan (2008–2014). Unless either the applicant or their parents or grandparents resided in any of these areas for a period of 7 years.

"Roots" are considered to be that the applicant(s), applicant(s) parent(s) or grandparent(s) have resided in the area for a period of at least 7 years or the applicant is an immediate family member of persons who can demonstrate roots or who have owned the said land for at least 7 years and can prove that fact.

This policy will be kept under review.

- B. Persons with exceptional health circumstances, supported by relevant documentation from registered medical practitioners and a disability organisation, who requires to live in a particular environment or close to family support.

This Policy shall be kept under review.

- C. Person(s) who have a family owned business for two years within the control points and are ratepayers who wish to build a dwelling in the vicinity of the town in which their business is located. Consideration of the term vicinity in this context shall be that the site proposed for development shall be located within the two DED's (in any direction) adjacent to the control point.

This Policy shall be kept under review.

- D. Person(s) who have owned an established business for at least 5 years within an Urban Generated Rural Housing area and are ratepayers who wish to build a dwelling in the vicinity of their business.

This Policy shall be kept under review.

- E. Applicants will also be required to comply with the following criteria;
- Bona fides in the form of a letter from an Elected Member outlining the applicants "roots" with the rural area or other relevant and appropriate documentation.
 - Guidelines set out in document entitled, 'Location, Siting and Design Rural & Urban'.
 - Public health suitability
 - Traffic considerations
 - Scenic amenity considerations
 - Occupancy condition under Section 47 Agreement

Holiday home development will not be permitted in these areas.

5.11 POLICY RH5: AN GHAELTACHT

The language and culture of the Gaeltacht is a unique and precious inheritance, and it is of utmost importance that it is preserved and protected. It is an aim of the County Council to protect the linguistic and cultural heritage of the Donegal Gaeltacht through the promotion of Irish as the community language through innovative policy proposals to be developed in conjunction with the relevant statutory bodies and the local communities in each area by preparing Local Area Plans (LAPs) for all distinctive Gaeltacht areas within the County.

Where it appears to the Planning Authority that any significant development(s) within or close to any Gaeltacht area might materially affect the linguistic and cultural heritage if the Gaeltacht including the promotion of Irish as a community language, the applicant shall be requested to assess the impact on the protection of the language and culture and that such impact assessment will form a material factor in the consideration of such proposals by the Planning Authority. It will also be a policy of the County Council that where a significant impact is demonstrated, steps to mitigate such impact are proposed.

5.12 POLICY RH6: HOLIDAY HOME DEVELOPMENT

The Council will seek a balanced approach to holiday home development in County Donegal by using a structured policy that provides for an ongoing continuous balance between holiday and permanent homes. This policy shall be reviewed within 1 year of adoption.

RH6-1: Holiday Home Development

For the purposes of this policy, the definition of a holiday home is as follows:
'A secondary place of residence that does not form a principal and main residence. This excludes second homes occupied on an intermittent basis by persons who are returning emigrants'.

RH6-2: Holiday Home in rural areas

In rural areas, a single holiday home will be considered (subject to Location, Siting and Design including appropriate integration into the landscape) and in doing so, the Council will seek to ensure a balance between the number of holiday homes and the number of permanent homes. In implementing a balance between holiday/permanent homes, the proposed holiday home shall not be permitted if it would result in the total number of existing and permitted holiday homes to represent more than 20% of the total existing and permitted housing stock within the townland that the proposed site is situated within. In the case of townlands that adjoin a specific control point, the 20% balance and baseline statistics shall

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apply to the totality of the townland area that is considered to be located outside the control point area.

For clarity, the balance of holiday/permanent homes will be a sliding scale and ever-changing balance in terms of actual figures. The Planning Office shall establish the baseline figures and shall maintain ongoing updates to the figures. Any application for holiday homes granted in the context of the exceptions set out at RH6-4 shall be tallied into the ongoing statistics. An applicant in possession of statistics that are contrary to the baselines set by the Planning Office will be afforded an opportunity to make a case in support of their application. In any case, the applicant may be requested to submit baseline statistics in both statistical and map form.

Holiday homes shall not be permitted in rural areas that are identified as 'areas of urban generated rural housing' or areas designated as 'Especially High Scenic Amenity' unless the exceptions of RH6-5 are demonstrated. For specific policies relating to EHSA's refer to policy RH3.

RH6-3 Holiday Homes in control points

Within control point settlements holiday home development, both multiple and single will be considered as long as the granting of permission would not result in the total number of existing and permitted holiday homes within the specific control point to represent more than 20% of the total existing and permitted housing stock within the control point. For clarity, the balance of holiday/permanent homes will be a sliding scale and ever-changing balance in terms of actual figures. An application for holiday homes granted in the context of the exceptions set out at RH6-4 shall be tallied into the ongoing statistics where the permission is granted at a location that is subject to a 20% balance of holiday/permanent homes. The Planning Office shall establish the baseline figures and shall maintain ongoing updates to the figures. Any applicant in possession of statistics that are contrary to the baselines set by the Planning Office will be afforded an opportunity to make a case in support of their application. (Note: Where a control point currently has a Local Area Plan or Development Plan adopted under the Planning & Development Act 2000-2004, the policies set out in the relevant plan will be the operative policies. This will also be the case as more Local Area/Development Plans are adopted.

RH6-4 Exceptions

The following exceptions to the restriction on holiday homes will be facilitated.

1. Where policy referring to 'resource related tourism projects' can be demonstrated by the applicant. This policy may be demonstrated in control points or in the wider rural area.
2. Where the applicant can demonstrate that the site is a brownfield site within the urban fabric of a control point and its development for holiday home purposes is of a size and scale that would not be detrimental to the character of the settlement. A brownfield site is one that has been previously built upon. It excludes parks, recreation grounds, private or public open space, allotments, forestry lands/buildings agricultural lands/buildings and land where the remains of the previous use have blended into the landscape, or have been overtaken by landuse zonings or lands of conservation value or amenity use.
3. Where the proposal is for rental purposes only, (maximum 5 units) that is part of a farm diversification plan. This policy may be demonstrated in control points or in the wider rural area (excluding EHSA's).
4. Where the proposal is for the development of up to 5 units for rental purposes only, throughout the county where the applicant can demonstrate

that he/she has roots in the area and that they owned the land prior to 24th March 2000 (excluding EHSA's).

5. Where the proposal is for a second home for use by a returning emigrant. This category shall not be dealt with by policies contained in RH6 (1-4 inclusive) but is accommodated under policy relating to individuals who can demonstrate that they have a bonafide need for a house in the rural area.
6. Where the proposal is for refurbishment of rundown/dilapidated dwelling(s)/derelict dwelling(s), the provisions of 5.14 below shall apply.
7. Where an application for holiday home development is made which is ancillary to and/or supportive of a Resource Related Tourism Product and in accordance with Section 9.2 Product Development and 9.3 Policy TOU3, of this plan. This Policy applies to lands throughout the County including within town and village control points but excludes any area designated as an Area of Especially High Scenic Amenity. (EHSA)

RH6-5 Location, Siting & Design

Any holiday home development proposed under the policy set out in RH6-1 through to RH6-4 inclusive, shall be required to accord with the guidelines set out in the Location, Siting & Design Guide. In doing so, a holiday home will not be permitted where the landscape cannot absorb the holiday home or where the holiday home would impact negatively on the landscape.

5.13 HOUSING DESIGN

The County Council will promote and support the highest design standards in new housing in Donegal, through its own building programme and through the development management system.

The County Council encourages innovative house design and site layouts in multiple developments that harmonise with the landscape and respect well established planning principles. The design principles set out in the 'Location, Siting and Design Guide – Rural and Urban' (Appendix E) will form the basis of the Council's approach to housing design in rural areas.

Housing scheme layout design guidelines shall be prepared during the period of the plan.

5.14 REFURBISHMENT OF RUNDOWN/DILAPIDATED DWELLINGS

In urban areas refurbishment of rundown/dilapidated dwellings should be facilitated whether for permanent or holiday home usage. Any proposal must respect the scale of refurbishment and any extension to same should respect the residential amenity of adjoining properties.

In rural areas apart from areas of Especially High Scenic Amenity (EHSA), refurbishment of rundown/dilapidated buildings should be facilitated whether for permanent or holiday home usage favourable consideration should be given to an extension of up to 125 sq. metres. Increases in height and size must respect the original character of the building.

The refurbishment of rundown/dilapidated and derelict dwellings, which are located on the immediate verge of main roads, will require particular consideration of traffic safety and off street carparking. Reuse of such dwellings may not be permitted due to specific location of the development on dangerous bends.

Refurbishment of rundown/dilapidated and derelict dwellings in areas of Especially High Scenic Amenity (EHSA) shall be given consideration for permanent or holiday home use, subject to any increase to the floor area being no greater than 50% of the original footprint up to a maximum of 90 sq. metres and that any increase in floor area or roof height does not alter the character of the dwelling.

5.15 DEFINITIONS

1. **Immediate family members** are defined as;
 - Sons, daughters, mothers, fathers and grandparents.
 - Brothers and sisters of the landowner(s)
 - Nephews and nieces
2. **Permanent House**
 - The principal and main residence
3. **Derelict building**
 - In general this is defined as a building with most external walls intact. Where the external walls consist of low wallsteads, each case will be considered on its merits with regard to location and siting.
4. **Rundown/dilapidated building**
 - All external walls and roof partially intact.
5. **Rural Areas of Especially High Scenic Amenity**
 - Are areas of highest quality landscape in the County, with characteristics of wilderness, and few if any manmade structures. They include the high cliffed coastal zone, and upland mountain areas.
6. **Existing cluster**
 - Consists of a number of houses and/or other buildings with adjoining curtilages, or within close proximity to each other, and where additional development does not give rise to ribbon development.
7. **Ribbon Development**

In general 5 houses on any one side of 250 metres road frontage.

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant.
- The degree to which the proposal might be considered infill development.
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.
- The existence of physical and geographical breaks which may act as a means of extending roadside development in appropriate cases.
- The degree to which the proposal would form a small cluster with a number of houses or other buildings with adjoining curtilages, this can incorporate backland sites in appropriate circumstances.

The Planning Authority shall take a balanced and reasonable view of the interpretation of the above criteria taking account of local circumstances, the context of the site, including the planning history of the area and development pressures.'

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8. Returning Emigrant

- A person who resided permanently in the area for at least 10 years and who is returning to build a second home or permanent home in the area they once resided in. Returning emigrants include persons returning from outside the County.

9. Holiday Home

- A secondary place of residence that does not form a principal and main residence. This excludes second homes occupied on an intermittent basis by persons who are returning emigrants.

1. Brownfield Site

- A brownfield site is one that has been previously built upon.

11. Persons in Rural Areas of Especially High Scenic Amenity

- In the context of Rural Areas of Especially High Scenic Amenity, the persons referred to in point 1 are those who can demonstrate that they are established members of the local rural community.

12.DED

- District Electoral Division

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