

**Chief Executive's Report Following The Public
Consultation on the Material Alterations to
the Draft Seven Strategic Towns Local Area
Plan 2018-2024 as required by Section 20 of
the Planning and Development Act 2000 (As
Amended)**

**Directorate of Community, Development and
Planning Services**

4th July, 2018



**Comhairle Contae
Dhún na nGall**
Donegal County Council

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1 INTRODUCTION

1.1 Background

The Draft Seven Strategic Towns Local Area Plan 2018-2024 (hereinafter referred to as the Draft LAP), Environmental Report and Appropriate Assessment were published for a period of public consultation from 24th November 2017 to 24th January, 2018 inclusive. During the period of public consultation, a total of 1152 no. submissions/observations were made from members of the public and were as follows per town; An Clochán Liath (Dungloe):25; Ballybofey-Stranorlar: 33; Ballyshannon: 35; Bridgend: 84; Carndonagh: 22; Donegal Town: 31 and Killybegs: 838.

The Chief Executive's Report, dated 23rd February 2018, summarised and responded to each of these submissions/observations. Following consideration of this report, the Elected Members at a Council meeting on 26th March 2018, proposed a number of changes to the Draft LAP including 118 Proposed Material Alterations and it was necessary to make them available for public consultation, in compliance with the requirements of Section 20(3) of the Planning and Development Act 2000 (As Amended).

The review of the Seven Strategic Towns Local Area Plan 2018-2024 has been subject to an Appropriate Assessment (AA) and a Strategic Environmental Assessment (SEA) throughout the LAP process. An addendum to the SEA and the AA reports was prepared in respect of the Material Alterations.

The proposed Material Alterations that were published for public consultation consisted of the following three documents:

- Proposed Material Alterations to the Draft Seven Strategic Towns Local Area Plan 2018-2024, for the towns of An Clochán Liath (Dungloe), Ballybofey-Stranorlar, Ballyshannon, Bridgend, Carndonagh, Donegal Town and Killybegs: May, 2018
- Strategic Environmental Assessment of Proposed Material Alterations to the Draft Seven Strategic Towns Local Area Plan 2018-2024, Addendum to Environmental Report: May, 2018
- Addendum to Appropriate Assessment (AA); Natura Impact Report of Proposed Material Alterations to the Draft Seven Strategic Towns Local Area Plan 2018-2024: May, 2018.

The Proposed Material Alterations were made available for public consultation during the period 11th May 2018 to 7th June 2018 (inclusive). Submissions and observations in respect of the Material Alterations were invited during this time and a total of 294 no. submissions or observations have been received, comprised of 285 from the public and 8 from Statutory Consultees, within the consultation period. One prescribed body submission was received outside the consultation period, and one public submission was received in relation to an issue unrelated to any Proposed Material Alteration.

1.2 Legislative Requirements

In accordance with Section 20(3)(k) and (l) of the Planning & Development Act 2000 (as amended) [P&D Act 2000 (As Amended)], the Chief Executive is required to prepare a report on the submissions and observations received. The Chief Executive's Report(CE Report) is specifically required to:

- (i) List the persons or bodies who made submissions or observations under this section,
- (ii) Summarise the issues raised by the persons or bodies in the submissions,
- (iii) Contain the opinion of the Chief Executive in relation to the issues raised and recommendations in relation to the proposed material alteration, including any change to the proposed material alteration as he considers appropriate, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives of the Government or of any Minister of the Government.

In accordance with Section 20(3)(n) of the P&D Act 2000 (As Amended), the consideration of the Draft LAP and the CE Report shall be completed within 6 weeks of the submission of the Report to the Elected Members.

1.3 Purpose of this Report

At the Council meeting of 23rd February 2018, the Members decided that the next step in the making of the Seven Strategic Towns Local Area Plan 2018-2024, would be to publish a range of Proposed Material Alterations (the 'proposed amendment') for public consultation. It is the proposed amendment comprised of the Proposed Material Alterations that are now to be considered. In accordance with Section 20(3)(n) of the P&D Act 2000 (As Amended), having considered the Chief Executive's Report, Members may decide by resolution to either make the Plan:

- (a.) without any of the proposed material alterations; or
- (b.) with all of the proposed material alterations; or
- (c.) with only a reduced number of the proposed material alterations.

Members may also further modify the proposed alterations subject to the undernoted criteria as contained in Section 20(3)(q)

- (q) A further modifications to the material alteration
 - (i) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site.
 - (ii) shall not be made where it relates to:
 - (I) an increase in the area of land zoned for any purpose; or
 - (II) an addition to or deletion from the Record of Protected Structures.

In making their decision, Members are referred to Section 20(3)(r) of the P&D Act 2000 (As Amended) wherein it provides that:

'When performing their functions under this sub-section, Members shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.'

The purpose of this report is to inform and assist the Elected Members in the consideration of the proposed Material Alterations to the Draft LAP, having regard to and addressing the issues raised during the consultation period, by Statutory Bodies and the proper planning and sustainable development of the area. When consideration of the Chief Executive’s Report is complete and the Members by resolution make the Plan, the Seven Strategic Towns Local Area Plan 2018-2024 will become operational 4 weeks after the resolution of the Members.

1.4 Structure of Report

This report addresses the Proposed Material Alterations in the following sequence, with each individual Proposed Material Alteration being addressed in a dedicated sub-section:

- General Material Alterations: 3 no. Material Alterations GENMA1-3 ;
- An Clochán Liath (Dungloe): 17 no. Material Alterations CLMA1-;17
- Ballybofey-Stranorlar : 17 no. Material Alterations BSMA1-17
- Ballyshannon : 26 no. Material Alterations BYMA1-26
- Bridgend: 9 no. Material Alterations BEMA1-9
- Carndonagh: 9 no. Material Alterations CNMA1-9
- Donegal Town: 25 no. Material Alterations DTMA1-25
- Killybegs: 12 no. Material Alterations KBMA1-12

Within each Proposed Material Alteration sub-section, a summary is provided of the issues raised in the submissions or observations made in respect of that particular Material Alteration. The Chief Executive's opinion follows, together with a recommendation. The recommendation will be to either:

- (a) Make the plan with the proposed amendment, or,
- (b) Make the plan without the proposed amendment, or,
- (c) Make the plan with amendments subject to modifications, provided they are minor in nature.

Table A.1, Appendix 1 contains the name of each person or body that made a submission thereby facilitating the tracking of each submission to the Proposed Alteration to which it refers, and to how the submission has been considered. However, it should be noted, that those issues that have been raised that do not relate to a specific Proposed Material Alteration are not considered in the Chief Executive's Report.

Where no submission has been made in respect of a Material Alteration the text will confirm this.

The final section of the report references a small number of submissions or observations that have been made in respect of matters other than the Proposed Material Alterations and it is confirmed that these issues cannot be considered as they do not refer to any of the Proposed Material Alterations.


1.5 Recommendation

In accordance with Section 20(n) of the Planning and Development Act 2000 (as amended), having considered the Chief Executive's Report dated 4th July, 2018 and the recommendations therein and having;-

1. Completed the Strategic Environmental Assessment process taking account of the information contained within, inter alia:
 - (i) The Environmental Report (November, 2017) of the Draft Plan and;
 - (ii) The addendum Environmental Report relating to the Proposed Material Alterations (May, 2018) and;
2. Completed the Appropriate Assessment process taking account of the information contained within, inter alia
 - (i) The Natura Impact Report (November, 2017) of the Draft Plan and;
 - (ii) The addendum Natura Impact Report relating to the Proposed Material Alterations (May, 2018) and;

it is recommended that the Members make the Seven Strategic Towns Local Area Plan 2018-2024, subject to the recorded decisions of the elected members in relation to the Proposed Material Alterations and any other non-material amendments arising in relation to those Proposed Material Alterations.

Members are advised that It shall be necessary for the passing of the resolution referred to in the recommendation above that it shall be passed by **not less than half of the members of the Planning Authority** in accordance with Section 20(3)(p) of the Planning and Development Act, 2000 (As Amended).


Seamus Neely
Chief Executive
Donegal County Council

4th July 2018.

2 SUMMARY OF SUBMISSIONS MADE

A total of 294 no. submissions or observations were received as summarised below:

- 285 no. from the public:
 - of the Public submissions, 1 no. was general, 1 no. was in respect of Ballybofey/Stranorlar, 1 no. was in respect of Ballyshannon, 2 no. were in respect of Carndonagh, 1 no in respect of Donegal Town and 279 were made in respect of Killybegs.

- 8 no. were received from the following Statutory Consultees
 - Department of Agriculture, Food and the Marine

 - Derry City and Strabane District Council

 - NIEA, Northern Ireland Environment Agency

 - EPA

 - Irish Water

 - Department of Housing, Planning and Local Government

 - NWRA

- A submission was received from the Department of Culture, Heritage and the Gaeltacht outside the consultation period. The submission was general in nature and did not raise any further specific concerns relating to the proposed Material Alterations;
- A submission was received from a member of the public (ref. KBMA166), the contents of which were unrelated to any Proposed Material Alteration and that may not therefore be considered in this report.

Full lists of persons and bodies that made submissions or observations are provided in Tables A.1 and A.2 contained within Appendix A of this Report. Where a submission refers to a specific Alteration with mapping, these submissions/sites are identified in the maps contained at the end of this report.

The consideration of each (or part of) the 294 submissions is detailed in both the Submission Summaries and the Executive Response section as they relate to each individual Material Alteration. Consequently, the summaries of, and the executive response to each submission is contained within Section 4.1 to Section 11.3 in the body of this report.

Those issues that have been raised that do not relate to a specific proposed Material Alteration are summarised separately in Section 9 of this report.

3 CONSIDERATION OF MATERIAL ALTERATIONS

3.1 Introduction

Section 4 that follows contains sub-sections dealing with each Proposed Material Alteration on an individual basis. Each of these sub-sections reproduces the written element of each Proposed Alteration, together with a summary of the relevant submissions and the Chief Executive's consideration of the issues and recommendation. With regard to those Proposed Alterations where mapping was a part of the Alteration, in the interests of the environment, Members and all readers are requested to refer to, and to cross-reference with, the document entitled: 'Proposed Material Alterations to the Draft Seven Strategic Towns Local Area Plan, 2018-2024 (May, 2018).

4 PROPOSED MATERIAL ALTERATIONS GENERAL

4.1 Material Alteration Ref. GENMA1

4.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------------|---|---|
| Chapter 2: Policy Context | | |
| GENMA1 | Section 2.1.1: The Settlement Structure, Population and Housing | <ol style="list-style-type: none"> <li data-bbox="608 674 1420 1086">1. Amend the text on page 7, last para, in chapter 2, section 2.1.1, page 7, last paragraph relating to housing supply so that it reads as follows: “The total housing units that could be supplied from the Housing Land Requirement set out in the Draft CDP for all of County Donegal up to 2024 is 7,752 no. units as set out in ‘The Core Strategy Table’ (contained in Chapter 2, Part A of the Draft CDP- Table 2.6). The Core Strategy allocation for housing in the strategic towns is 2,628 no. units of which circa 1,440 1,742 no. units will be provided in the seven towns over the lifetime of this LAP (up to 2024).” <li data-bbox="608 1086 1420 1149">2. Amend Table 2.3 as set out at Appendix A of this document. |

4.1.2 Summary of Submissions

No public or prescribed body submissions were received in relation to Proposed Material Alteration GENMA1.

4.1.3 Chief Executive’s Response

The referenced section of the Plan contains a factual recording of the no. of housing units that can be supplied from the zoned sites in the Plan. This Proposed Material Alteration is required as the precise figure to be inserted here can only be calculated, and inserted into the document, after Members have made their final zoning decisions at the Council meeting on 23rd July, 2018.

4.1.4 Recommendation

It is recommended that the Plan be made with the Proposed Material Alteration with the figure being calculated after all Members’ zoning decisions have been completed at the scheduled Plenary Council meeting.

4.2 Material Alteration Ref. GENMA2

4.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|--|--|
| Chapter 3: General Objectives and Policies of the Plan | | |
| GENMA2 | Section 3.4.3: General Economic Development Policies | Insert new policy as follows (new text shown in blue): GEN-ED-6: " It is a policy of the Council to consider proposals for home-based businesses of a limited scale, of circa 1-5 employees, within an existing dwelling, or the curtilage of a dwelling and having regard to all other material planning considerations." |

4.2.2 Summary of Submissions

No public submissions were received in relation to proposed Material Alteration GENMA2. One prescribed body submission was received from Transport Infrastructure Ireland (TII)

| Ref | Name | Summary |
|--------|------|---|
| GENMA2 | TII | Submission relates to, inter alia, Material Alteration GENMA2 (submission ref. PB2). TII recommends an appropriate cross reference in the proposed new policy GEN-ED-6, with Policy T-P-4 of the CDP that would provide clarity for potential applicants in circumstances where development proposals interact with National Roads outside 50-60kph speed limits. |

4.2.3 Chief Executive's Response

The Proposed Material Alteration could potentially give rise to developer interest in projects that would require either a new access, or the intensification of an existing access, onto the National Roads network and the request from TII to cross-reference the proposed new policy GEN-ED-6 with policy T-P-4 is considered to be reasonable and it is further considered that the addition of an extra sentence at the end of the Proposed Material Alteration would be non-material.

4.2.4 Recommendation

It is recommended that the Plan be made with the Proposed Material Alteration subject to the addition of the text below (original text shown in blue, proposed additional text shown in red)

GEN-ED-6: " It is a policy of the Council to consider proposals for home-based businesses of a limited scale, of circa 1-5 employees, within an existing dwelling, or the curtilage of a dwelling and having regard to all other material planning considerations including Policy T-P-4 of the County Development Plan, 2018-2024".

4.3 Material Alteration Ref. GENMA3(1)

4.3.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 3: General Objectives and Policies of the Plan | | |
| GENMA3(1) | Section 3.6.1 (Flooding) | Amend text as set out at Appendix B of this document. |

4.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of GENMA(3).

4.3.3 Chief Executive's Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 3.6.1 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan thereby replacing the CFRAMs information previously referred to in the Plan. For these reasons, see recommendation below.

4.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5 PROPOSED MATERIAL ALTERATIONS AN CLOCHÁN LIATH

5.1 Material Alteration Ref. CLMA1

5.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|---|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA1 | Section 4.4.2 (Opportunity Sites located within the Defined Town Centre) | <p>1. Amend text relating to Opportunity Site 3: North of the River paragraph on p. 26 as follows:</p> <p>(new text shown in blue, text to be deleted shown in strikethrough)</p> <p>Opportunity Site 3: North of the River</p> <p>"Moderate size site of 0.62ha directly north of Dungloe river outside but adjoining the retail core area. The site is bound along the northern side by a narrow road which provides access from the Town centre to Dungloe Pier. A large part of the southern portion of the site falls within Flood Zone C Flood Zone A as identified in Stage 2 Strategic Flood Risk Assessment Report CFRAMS map. As such the Justification Test was applied as part of this Report will apply for any development as per the Planning System and Flood Risk Management-Guidelines for Planning Authorities (2009). The site was subject to, and passed, a development plan 'justification test' for 'less vulnerable' land uses such as commercial activity. It is considered that the site provides some retail or cafe style riverside potential but must provide pedestrian accessibility along this riverside linking the amenity waterfront areas to the west. Any development proposals should provide pedestrian accessibility to the 'Riverwalk' walkway located to the north east of this site, along the river to the waterfront amenity areas to the west. Any proposal shall include proposals to widen the access road towards the north east of the subject site. There is also potential for linking these 2 amenity areas which could be used by the inhabitants of An Clochán Liath and could attract visitors into the town. Policy CL-TC-3 refers. Any proposals for development must be accompanied by a site specific flood risk assessment, prepared in accordance with the guidelines set out in 'The Planning System and Flood risk Management Guidelines for Planning Authorities', (2009)."</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|---|
| | Section 4.4.4 (Town Centre Policies) | <p>2. Amend Policy CL-TC-3 as follows:</p> <p>(new text shown in blue, text to be deleted shown in strikethrough)</p> <p>Policy CL-TC-3: "It is a policy of the Council to consider proposals for retail/commercial development on Opportunity Site 3 where it can be demonstrated that the massing, footprint and height of the proposal, and the nature of the proposed uses(s), are compatible with the adjoining properties. Proposals shall provide for widening of the adjacent road and improvements to the Main Street junction. Proposals shall be required to demonstrate that they shall not give rise to any flood risk by means of a site specific Flood Risk Assessment. In this regard, proposals for residential development are unlikely to be will not be acceptable. The finished floor levels of buildings shall be raised above predicted flood levels in accordance with Section 2.23 of 'The Planning System and Flood Risk Management Guidelines for Planning Authorities, (DoEHLG, 2009).'"</p> |

5.1.2 Summary of Submissions

No public submissions were received in relation to Material Alteration CLMA1. One Prescribed Body submission was received as summarised below.

| Ref | Name | Summary |
|-----|-------|--|
| PB7 | DHPLG | Submission relates to, inter alia, the proposed Material Alteration. The submission notes that Opportunity Site 3 is largely located within Flood Zone C, and states that there is a requirement under Section 28 of the Act to comply with 'The Planning System and Flood Risk Management' Guidelines and in particular section 3.2 of said Guidelines, which advocates a sequential approach to development in the context of flood risk. The Department requests that any development planned for the lands in question be subject to a justification test and be a 'non-vulnerable' use. |

5.1.3 Chief Executive's Response

The Department's comments have been noted. The 'less vulnerable' uses (i.e. retail and commercial development) provided for in the text of the proposed Material Alteration have already been subject to, and have passed, a 'plan-making' justification test as described in Chapter 4 of the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities. Following on from this, proposed Policy CL-TC-3 of the SSTLAP (as set out under Material Alteration Ref. CLMA1) expressly provides, inter alia, that the Council will consider proposals for retail/commercial development on this site, subject to a site specific flood risk assessment; and further stipulates that 'proposals for residential

development (which would be highly vulnerable to flooding) will not be acceptable'. Policy CL-TC-3 also notes that 'Proposals shall be required to demonstrate that they shall not give rise to any flood risk' and in addition states that 'the finished floor level of buildings shall be raised above predicted flood levels'. In light of the foregoing, it is considered that the Department's comments have been adequately addressed in the proposed Material Alteration.

5.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.2 Material Alteration Ref. CLMA2

5.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA2 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Amend identification of River Walk to show accurate route of walk on northern side of river and extend Local Area Plan Boundary to run immediately parallel to the re-positioned route on its northern side as identified on Map entitled 'Proposed Material Alteration CLMA2' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.2.2 Summary of Submissions

No public or prescribed bodies submissions were received in relation to Material Alteration CLMA2.

5.2.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

5.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.3 Material Alteration Ref. CLMA3

5.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA3 | Section 4.9 (Tourism, Marine and Recreation) | <p>1. Amend the following text relating to 'Marina Site' as follows;</p> <p>(new text shown in blue, text to be deleted shown in strikethrough):</p> <p>Marina Site</p> <p>"Consistent with the tourism and leisure role and function of An Clochán Liath (Dungloe), the town's position on the route of the Wild Atlantic Way, and the growing water-based tourism and leisure sector, DCC supports the principle of a marina-type development Leisure/Amenity/Tourism type development in the vicinity of the shorefront area of the town. A possible site for such a development in the vicinity of the town pier is identified on the Land Use Zoning Map (Map 2 refers). Such a development would complement the leisure uses already development and remaining to be developed in the shorefront area of the town."</p> |
| | Section 4.9.3 (Tourism, Marine and Recreation Policies) | <p>2. Amend Policy CL-TMR-2 and associated text as follows;</p> <p>(new text shown in blue, text to be deleted shown in strikethrough):</p> <p>Policy CL-TMR-2: "It is a policy of the Council to support the principle of a marina-type development Leisure/Amenity/Tourism type development in An Clochán Liath (Dungloe) subject to compliance with Habitats Directive, environmental considerations and all other relevant objectives and policies of this LAP."</p> |
| | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | <p>3. Extend the Local Area Plan boundary and zone the intervening lands as 'Marina' as identified on the Map entitled 'Proposed Material Alteration CLMA3' in Appendix C of the Proposed Material Alterations Document (May 2018).</p> |

5.3.2 Summary of Submissions

No public or prescribed bodies submissions were received in relation to Material Alteration CLMA3.

5.3.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

5.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.4 Material Alteration Ref. CLMA4

5.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA4 | Section 4.9.3 (Tourism, Marine and Recreation Policies) | <p>Amend Policy CL-TMR-3 as follows: (new text shown in blue)</p> <p>Policy CL-TMR-3: "It is a policy of the Planning Authority to consider proposals for predominantly community and leisure-related uses, including those that are associated or compatible with the adjacent Hospital and GAA uses within the site identified as 'Masterplan Site' on the Land Use Zoning Map. Proposed developments shall only be considered in the context of a submitted Masterplan for the entire area and the Masterplan may identify alternative, compatible uses where such uses would be clearly ancillary to the aforementioned primary uses. Proposed extensions to established uses adjacent to the Masterplan area may also be considered where it can be clearly demonstrated that such development would not prejudice the achievement of the overall Masterplan concept and predominant uses therein, subject to compliance with the other objectives and policies of this Plan. Proposals for development shall:</p> <ol style="list-style-type: none"> Have regard to the Strategic Flood Risk Assessment prepared to inform this LAP, proposals shall be accompanied by a site specific flood risk assessment, prepared in accordance with the guidance set out in 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' (2009); Identify a suitable pedestrian access onto the N56/Carnmore Road side of the site; and Identify a suitable river crossing to the 'Riverwalk' amenity route." <p>[Please refer also to CLMA12]</p> |

5.4.2 Summary of Submissions

No public submissions were received in relation to proposed Material Alteration CLMA4. One Prescribed Body submission was received from TII and is summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | The submission has identified that the Masterplan lands identified in this Material Alteration extend to a point on the National Road where a 100kph |

| | | |
|--|--|---|
| | | speed limit applies. TII requests that where proposals are made outside of the 50-60kph speed limit the Council have particular regard to the DoECLG Spatial Planning and National Roads Guidelines and the provisions of the County Donegal Development Plan, the applicable speed limit and road safety implications and adhere to the provisions of official policy concerning development accessing National Primary roads. |
|--|--|---|

5.4.3 Chief Executive's Response

Notwithstanding the comments of the TII, it has been verified that the Masterplan Lands the subject of this Material Alteration do not fall within the 100kph speed limits. As such, no further consideration is required on this point. Notwithstanding, Chapter 5 and Appendix 3, Development Guidelines and Technical Standards of the CDP 2018-2024 set out objectives, policies and guidelines for proposed access onto (inter alia) the National road network in compliance with legislation and guidelines.

5.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.5 Material Alteration Ref. CLMA5

5.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA5 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Extend the Local Area Plan boundary and zone the intervening lands as 'Established Development' as identified on the map entitled 'Proposed Material Alteration CLMA5' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.5.2 Summary of Submissions

No public or prescribed body submissions were received in relation to this proposed Material Alteration.

5.5.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small scale nature of this particular Material Alteration, see recommendation below.

5.5.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.6 Material Alteration Ref. CLMA6

5.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA6 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Amend the zoning of lands from 'Established Development' to 'Town Centre' as identified on the map entitled 'Proposed Material Alteration CLMA6' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.6.2 Summary of Submissions

No public or prescribed body submissions were received in relation to CLMA6.

5.6.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small scale nature of this particular Material Alteration, see recommendation below.

5.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.7 Material Alteration Ref. CLMA7

5.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|---|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA7 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | 1. Amend the zoning of lands from 'Economic Development' to 'Local Environment' as identified on the map entitled 'Proposed Material Alteration CLMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 4.5 (Economic Development) | 2. Delete 2 nd paragraph in section 4.5.1 as follows: "The Radox complex is located in a wider industrial area that extends across an area of some 6.85 hectares. It is the opinion of the Council that the presence, stature and success of such a company is something that could be developed further to the overall benefit of the town. For this reason, and in the context of the preferred industrial/hgv traffic route around the north of the town (refer Section 4.7.1), a significant area of additional lands for economic development is identified adjacent to the area of town in which the Radox plant and other industrial uses are already situated. The identified area is also served by a potentially suitable road and junction onto the Regional Road although some surfacing, footpath and public lighting would be required. The established economic development area and the proposed economic development area would provide for a total of 13.95 hectares of such land. Any future application for significant development on these additional lands shall include an overall 'Masterplan' for the overall site." |
| | Section 4.5.4 (Economic Development Policies) | 3. Remove Policy CL-ED-1 as follows: (text to be deleted shown in strikethrough) Policy CL-ED-1: "It is a policy of the Council to consider proposals for the development of Class 3 (Offices), Class 4 (Light Industrial), research and innovation, and digital technologies on Economic Development Site 1 (ED1) (located to the south of the Radox etc complex, refer to Map 2), subject to compliance with the undernoted criteria, and all other relevant policies of the LAP. Proposals shall only be considered in the context of a Masterplan for the overall site. In Draft Seven Strategic Towns Local Area Plan 2018-2024 Chapter 4: An Clochán Liath (Dungloe) Page 29 exceptional circumstances, proposals for minor development may be considered in the absence of an agreed Masterplan." |

5.7.2 Summary of Submissions

No public or prescribed body submissions were received in relation to CLMA7.

5.7.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straight-forward nature of this particular Material Alteration, see recommendation below.

5.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.8 Material Alteration Ref. CLMA8

5.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|---|---|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA8 | Section 4.4.2 (Opportunity Sites Located within The Defined Town Centre) | <p>1. Amend third para. on page 26 to include additional text: (new text shown in blue)</p> <p>Opportunity Site 2: Waterfront Area</p> <p>"This is a small wedge shaped site of 0.45Ha located in the key waterfront area of the town directly west of, and adjoining, the retail core area. Within the waterfront area, the site is adjacent to the parking area and public amenity areas. The site is relatively flat and is currently vacant but fenced. The site would be suitable for commercial, tourism, casual trading, community, civic or amenity uses with a design that maximises the waterfront location. Residential developments are not appropriate at this location. Policy CL-TC-2 refers."</p> |
| | Section 4.4.4 (Town Centre Policies) | <p>2. Amend Policy CL-TC-2 as follows: (new text shown in blue)</p> <p>"It is a policy of the Council to consider proposals for commercial, tourism, community, civic or amenity uses on Opportunity Site 2, together with the site being a possible option as the location of a site for casual trading, the designation of which is subject to separate statutory procedures. Proposals shall be low-rise and sympathetic to the shorefront setting. Any structures proposed shall be located towards the eastern portion of the Opportunity Site area. Proposals for residential development on this site shall not be favourably considered."</p> |

5.8.2 Summary of Submissions

No public or prescribed body submissions were received in relation to CLMA8.

5.8.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

5.8.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.9 Material Alteration Ref. CLMA9

5.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|---|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA9 | Section 4.7.2 (Infrastructure and Services Objectives) | Insert new Objective CL-IS-3 to read as follows: Objective CL-IS-3: “It is an Objective of the Council to seek to resolve traffic access issues in the area of Crucknageragh Road/Quay Road”. |

5.9.2 Summary of Submissions

No public or prescribed body submissions were received in relation to CLMA9.

5.9.3 Chief Executive’s Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

5.9.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.10 Material Alteration Ref. CLMA10

5.10.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA10 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Extend the Local Area Plan boundary and zone the intervening lands as 'Economic Development' as identified on the map entitled 'Proposed Material Alteration CLMA10' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.10.2 Summary of Submissions

No public or prescribed body submissions were received in relation to CLMA10.

5.10.3 Chief Executive's Response

Having regard to the absence of any submissions, to the ambition to build on the success of the nearby Radox complex and to the presence of significant economic activity established in the vicinity, to the proximity of the subject site to the 'Northern Industrial-HGV Route' as identified in the Land Use Zoning Map, see recommendation below.

5.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.11 Material Alteration Ref. CLMA11

5.11.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|---|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA11 | Section 4.4.4 (Town Centre Policies) | Amend Policy CL-TC-4 to read as follows: (text to be deleted shown in strikethrough ; new text shown in blue) "It is a policy of the Council that proposals for shop fronts shall be in the either Irish Language only or bilingual in nature with Irish first and more prominent than the other languages used. Signage shall and be high quality in terms of design, colour and materials and respect the existing streetscape and traditional shop fronts in the area including fenestration, facia treatment, colouring scheme, materials, and finishes and shall be in accordance with Policy CCG-O-8, Chapter 11, Part B, and Section 9 of Part B: Appendix 3 of the County Donegal Development Plan 2018-2024. " |

5.11.2 Summary of Submissions

No public or prescribed body submissions were received in relation to CLMA11.

5.11.3 Chief Executive's Response

Having regard to the absence of any submissions and to the consistency of this proposed policy amendment with the County Development Plan 2018-2024 (policy ref Policy CCG-O-8, Chapter 11, Part B, and Section 9 of Part B: Appendix 3 of the County Donegal Development Plan 2018-2024), see recommendation below.

5.11.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.12 Material Alteration Ref. CLMA12

5.12.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA12 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | 1. Amend zoning of lands from 'Masterplan Area' to 'Primarily Residential' as identified on the map entitled 'Proposed Material Alteration CLMA12' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 4.6.2 - Table 4.1 (Total lands Identified to meet Residential Housing Need in An Clochán Liath (Dungloe) Para. on 'Masterplan Site', Sub-Section 4.9.1: 'Background/Context' | 2. Amend Table 4.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out in Appendix A of this document. |
| | Section 4.9: Tourism, Marine and Recreation | 3. Amend text as follows: (text to be deleted shown in strikethrough; new text shown in blue) A 'Masterplan' site of some 18.47 12.39 hectares has been identified in the north-eastern part of the town between the River Walk and the built-up areas adjacent to Carnmore Road (including the GAA complex and the Supervalu unit) and the N56 (including the Community Hospital). Whilst the identification of this site is aspirational in nature, and whilst there would be significant constraints to development to be overcome, Donegal County Council nevertheless considers the site to have significant potential because of its size, proximity to the town centre, and proximity to the River Walk amenity (although any development would have to have full regard to the setting and sensitivities of the Walk and adjacent River). [Please refer also to CLMA4] |

5.12.2 Summary of Submissions

No submissions were received from the public in relation to proposed Material Alteration CLMA12. One prescribed body submission was received from TII.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | <p>The submission raises concern contending that the subject site is adjacent to the N56 where the 100kph speed limit applies. The submission highlights the requirement to have cognisance of speed limit regimes on National Roads when preparing Development Plan objectives, as outlined in Section 2.11 of the DEHLG Spatial Planning and National Roads Guidelines. TII note that the aforementioned guidelines advise against the creation of any additional access point from new development or the generation of increased traffic from existing accesses to National Roads, in areas outside of a 50-60 kph urban speed limit. Having regard to the foregoing, which is also reflected in County Development Plan policy, TII considers that the proposed Material Alteration conflicts with the provisions of official policy and the adopted County Development Plan. TII recommends that a review of access proposals to the subject lands is undertaken prior to adoption of the proposed Material Alteration. TII also request that the Council consider the implications of the transport and movement measures identified in Section 5.1.3 of the Draft LAP for this section of the N56.</p> |

5.12.3 Chief Executive’s Response

This proposed Material Alteration comprises three separate yet interrelated changes to the Draft LAP necessitated by the proposal to amend the zoning of lands from ‘Masterplan Area’ to ‘Primarily Residential’ (Map No.2) and resultant changes to the number of housing units provided within the town (table 4.1) and to the Masterplan text reflecting the change in hectarage (Section 4.9).

The Lands the subject of this Material Alteration do not fall within the 100kph speed limits, contrary to the advice of TII and as already advised in the response at Section 4.7.4 above re Proposed Alteration CLMA4, and this point has been noted.

The proposed site is considered to be a suitable location for residential development having regard to its proximity to schools, recreational and shopping facilities. The site is also serviceable. Furthermore, the proposed amendments to the land use zoning and resultant changes to table 4.1 and section 4.9 of the Draft LAP are considered appropriate and compatible with the housing allocation set out in the Core Strategy of the CDP.

The proposed Material Alteration is at a location that would provide vehicular access into the overall Masterplan site. In this regard and having regard also to the dimensions of the subject site, the width of which is adequate to facilitate a housing development and an access road, it is considered reasonable to attach a policy provision to ensure that potential access to these lands be retained as part of any development of this CLMA12 site.

These issues are addressed in the recommendation below.

5.12.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration CLMA12, subject to the insertion of policy:

1. Policy CL-H-1: It is a policy of the Planning Authority that the layout of any proposed residential development on site PRxx shall incorporate an access and junction of sufficient width inclusive of footpaths and public lighting to serve the adjacent Masterplan area, as well as any proposed housing.

2. Add the following footnote to Policy CL-TMR-3

(refer also to Policy CL-H-1 re access to the Masterplan site)

5.13 Material Alteration Ref. CLMA13

5.13.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA13 | Section 3.2 Land Use Zoning Objectives (Table 3.1) | <p>1. (a.) Amend the wording at Row 8/First Column as follows: (new text shown in blue) Local Environment (see Footnote [i.] below).</p> <p>b.) Insert footnote immediately after Table as per wording below (new text shown in blue): <u>Footnotes</u></p> <p>(i.) Refer also to Section 4.6, Housing, An Clochán Liath.</p> |
| | Section 4.6: 'Housing', An Clochán Liath (Dungloe) | <p>2a. Insert new Objective CL-H-2 as follows: (new text in blue) Objective CL-H-2: "To provide for limited low-density housing in exceptional circumstances in the areas zoned as 'Local Environment' in An Clochán Liath."</p> <p>2b. Insert new Policy CL-H-1 as follows: (new text shown in blue) Policy CL-H-1: "In exceptional circumstances, limited low density housing development may be considered in areas zoned as 'Local Environment' in An Clochán Liath where the applicant can demonstrate, and the Planning Authority is satisfied, that neither any of the sites zoned as 'Primarily Residential', nor any other sites or potential sites either within the town centre, the edge of the centre or in areas zoned as 'Established Development' or 'Opportunity Site' (as appropriate) are (a.) suitable, (b.) available, and (c.) viable in terms of servicing. In such circumstances, it shall be demonstrated that any proposed development:</p> <p>(a.) would be compatible with existing and/or permitted adjoining land uses and would not have any adverse impact on the amenities of adjoining properties;</p> <p>(b.) would be appropriate in terms of scale and density relative to adjoining land uses; and</p> <p>(c.) would otherwise comply with all relevant policies of this Local Area Plan."</p> |

5.13.2 Summary of Submissions

No public submissions were received in relation to proposed Material Alteration CLMA13. One prescribed body submission was received from TII.

| Ref | Name | Summary |
|-----|------|---|
| PB2 | TII | <p>This submission raises concern contending that the proposed Material Alteration for limited low density residential development in exceptional circumstances within areas zoned Local Environment in Dungloe will extend along the N56 where the 100kph speed limit applies, and that the principle of development accessing a national road in such circumstances is in conflict with both the provisions of official policy and the County Development Plan.</p> <p>TII strongly recommend against the adoption of proposals that would provide for development accessing onto national roads outside the urban speed limits of Dungloe and request that an amendment is introduced to ensure compliance with the provisions of official policy.</p> |

5.13.3 Chief Executive’s Response

The comments of the TII are noted and it is agreed that proposals with access onto national roads should comply with National policy and the CDP.

Proposed Material Alteration CLMA13 would facilitate the development of limited low density housing in exceptional circumstances within areas zoned as Local Environment. It is considered that the principle of this is in conflict with the zoning objectives for ‘Local Environment’ contained within the Draft LAP, Table 3.1, “To provide for limited one-off housing and small scale economic development so as to ensure the continued settlement pattern and sequential and transitional development of the towns through to rural areas.” The proposed policy would also be inconsistent with the objectives and policies of the County Development Plan, including Objective CS-O-12 “To require growth of towns in a sequential manner outwards from the core so as to make best use of existing and planned infrastructure to the benefit of local communities and effective urban growth.”

Proposed Material Alteration CLMA13 could facilitate sporadic, urban-style development at locations removed from the built up area of the town that have not been subject to a detailed evidenced-based assessment of their suitability for such development. Such development would be contrary to the sequential development of the town and the objectives and policies contained within the CDP 2018-2024 and the rest of the Draft LAP.

5.13.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

5.14 Material Alteration Ref. CLMA14

5.14.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|---|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA14 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | 1. Amend zoning of lands from 'Local Environment' to Low Density Housing on lands at Chapel Road as identified on the map entitled 'Proposed Material Alteration CLMA14' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 4.6.2 - Table 4.1 (Total lands Identified to meet Residential Housing Need in An Clochán Liath (Dungloe)) | 2. Amend Table 4.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out in Appendix A of this document. |

5.14.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CLMA14

5.14.3 Chief Executive's Response

This Proposed Alteration raises precisely the same issues as those discussed at the preceding Section 4.16 on Proposed Alteration CLMA13. This Proposal would be totally inconsistent with the overall policy approach of both the County Development Plan, 2018-2024 and the Local Area Plan as to zone this site would provide development significantly removed from the established built-up area and from public services.

5.14.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

5.15 Material Alteration Ref. CLMA15

5.15.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|---|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA15 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Extend the Local Area Plan boundary and zone the intervening lands as: (a.) 'Local Environment'; and (b.) 'Established Development' as identified on the map entitled 'Proposed Material Alteration CLMA15' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.15.2 Summary of Submissions

No submissions were received from the public in relation to proposed Material Alteration CLMA15. One prescribed body submission was received from TII.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | The submission states that their comments in relation to this proposed Material Alteration are similar to those in respect of CLMA12, contending that the proposed Material Alteration extends the zoning designations further along the N56 where the 100kph speed limit applies. TII consider this will conflict with the provisions of official policy and the adopted County Development Plan and recommend that the Material Alteration is not adopted in its current form pending a review to ensure adherence to the provisions of official policy concerning access onto national roads. |

5.15.3 Chief Executive's Response

The proposed Material Alteration would extend the settlement boundary beyond that published in the Draft LAP incorporating lands that have not been subject to an evidenced based assessment on their capacity or otherwise to accommodate specific zonings. The LAP must be consistent with the County Donegal Development Plan and the Core Strategy provision therein. The Core Strategy identifies a very clear and strong focus on the regeneration of our towns and villages including An Clochán Liáth whilst also facilitating appropriately scaled expansion(s) where such strategic growth decisions are warranted. To extend the settlement boundary would be inconsistent with the County Development Plan, and in particular Objective CS-O-2 which states "To require growth of towns in a sequential manner outwards from the core so as to make best use of existing and planned infrastructure to the benefit of local communities and effective urban growth. In this context, the proposed unsubstantiated expansion of the settlement boundary is not considered to be appropriate.

Whilst it is understood that the intention is that direct access to the National Road would not be sought and that access would be sought via the County Road/National Road junction at the north-eastern extremity of the zoning, the strongly-worded opinion of TII are nevertheless noted and perhaps add to the need to give careful consideration to this proposal.

5.15.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

5.16 Material Alteration Ref. CLMA16

5.16.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA16 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Extend the Local Area Plan boundary and zone the intervening lands as 'Strategic Residential Reserve' as identified on the map entitled 'Proposed Material CLMA16' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.16.2 Summary of Submissions

There have been no public submissions received in respect of CLMA16. One prescribed body submission was received from DHPLG.

| Ref | Name | Summary |
|-----|--|--|
| PB7 | Department of Housing, Planning and Local Government (DHPLG) | The Department recommend that this Material Alteration is not adopted as there is no justification provided for the provision of additional Strategic Residential Reserve lands. |

5.16.3 Chief Executive's Response

The subject lands are located on the southern side of the town, in an area identified as being outside of the settlement envelope of An Clochán Liath/Dungloe in the Draft LAP published November 2017. On foot of a submission to the Draft LAP which sought the rezoning of the lands (Submission CL23, refer to CE Report of 23rd February 2018), the CE report noted the reasonable proximity of the lands to the town centre but further noted that the site is severely constrained by the absence of any readily identifiable access of sufficient dimensions that would be capable of serving the extent of development likely to arise on a site of this scale. These concerns remain valid and it must be noted that the configuration of existing development on the road leading to the subject lands is such that it would prove very difficult to provide a carriageway of appropriate width, together with associated and necessary pedestrian footpaths, to serve any housing development at this location. It must also be noted that vision lines at the junction of the road serving the lands (L-15831) with the Chapel Road are severely hampered by existing obstructions. Given these concerns, and in the absence of any proposed

alternative access arrangements, it is considered that the zoning of the subject lands as 'Strategic Residential Reserve' would not be appropriate at this time.

5.16.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

5.17 Material Alteration Ref. CLMA17

5.17.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|--|---|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| CLMA17 | Map No. 2 (Draft Land Use Zoning Map for An Clochán Liath-Dungloe) | Extend the Local Area Plan boundary and zone the intervening lands as 'Local Environment' as identified on the map entitled 'Proposed Material Alteration CLMA17' in Appendix C of the Proposed Material Alterations Document (May 2018). |

5.17.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CLMA17.

5.17.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale of this particular Material Alteration, see recommendation below.

5.17.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

5.18 Material Alteration Ref. GENMA3(2)

5.18.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--|---|--|
| Chapter 4: An Clochán Liath (Dungloe) | | |
| GENMA3(2) | Section 4.7.1 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents Mapping as set out at Appendix B of this document. |

5.18.2 Summary of Submissions

No public or prescribed body submissions were received in respect of GENMA3(2).

5.18.3 Chief Executive's Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 4.7.1 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan thereby replacing the CFRAMs information previously referred to in the Plan. For these reasons, see recommendation below.

5.18.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6 PROPOSED MATERIAL ALTERATIONS BALLYBOFEY-STRANORLAR

6.1 Material Alteration Ref. BSMA1

6.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA1 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of the lands from 'Opportunity Site' (OPP 6) to: (a.) part 'Recreation and Amenity'; and (b.) part 'Local Environment' as identified on map entitled 'Proposed Material Alteration BSMA1' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.1.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA1

6.1.3 Chief Executive's Response

Having regard to the absence of any submissions and to the rationale that underpinned the Members' decision to publish this particular Proposed Material Alteration, namely the removal of any possible impediments to delivery of the Ballybofey/Stranorlar bypass, see recommendation below.

6.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.2 Material Alteration Ref. BSMA2

6.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA2 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of the lands from 'Community' to 'Recreation and Amenity' as identified on Map entitled 'Proposed Material Alteration BSMA2' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.2.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA2.

6.2.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.3 Material Alteration Ref. BSMA3

6.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|--|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA3 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Primarily Residential' to 'Recreation and Amenity' as identified on the Map entitled 'Proposed Material Alteration BSMA3. |
| | Section 5.6.2 - Table 5.1 (Total lands Identified to meet Residential Housing Need in Ballybofey-Stranorlar) | 1. Amend Table 5.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

6.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA3.

6.3.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.4 Material Alteration Ref. BSMA4

6.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|--|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA4 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | 1. Amend the zoning of lands from 'Primarily Residential' (PR6) to 'Recreation and Amenity' as identified on the Map entitled 'Proposed Material Alteration BSMA4' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 5.6.2 - Table 5.1 (Total lands Identified to meet Residential Housing Need in Ballybofey-Stranorlar) | 2. Amend Table 5.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

6.4.2 Summary of Submissions

There have been no submissions received from Prescribed Bodies in respect of BSMA4. One public submission was received and is summarised below.

| Ref | Name | Summary |
|-----|---------------|--|
| BS1 | MH Associates | The submission opposes the proposed Material Alteration on the basis that the subject lands are to be used for residential development. The submission notes that a residential development was previously approved on the lands and states that the landowners/developers intend to develop in the near future, subject to the grant of a new planning permission. The submission notes that the site forms part of a flood zone but considers it feasible that mitigation measures could be taken at development stage to eradicate any flood risk. It is suggested that this could be dealt with at planning application stage by means of a Flood Risk Assessment. |

6.4.3 Chief Executive's Response

The Strategic Flood Risk Assessment (SFRA) identified the north-eastern corner of site PR6 as being potentially at risk of fluvial flooding (Flood Zone A and Flood Zone B). Notwithstanding any previous

grants of planning permission on the subject lands (which in any event have now expired), the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities (2009) clearly provides that 'highly vulnerable' development (including residential development) should only be considered within Flood Zones A and B where a Justification Test has been passed. Such justification tests require, inter alia, that the subject lands:

- (i.) are essential to facilitate regeneration and/or expansion of the centre of the urban settlement
- (ii.) comprise significant previously developed and/or under-utilised lands
- (iii.) are within or adjoining the core of an established or designated urban settlement
- (iv.) will be essential in achieving compact and sustainable urban growth and
- (v.) are being suggested for development due to the absence of any suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement.

The lands deemed to be at risk of flooding in this case comprise a relatively modest area of approximately 0.4Ha, taken from a total site area of nearly 4 hectares, and it is considered that the zoning of these lands for residential development would not satisfy any of the provisions of the plan-making justification test as outlined above. It is therefore considered that the rezoning of the lands to 'Primarily Residential' would not be appropriate.

6.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.5 Material Alteration Ref. BSMA5

6.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA5 | Section 5.4.2 (Opportunity Sites Located within or Adjacent to the Town Centres) | <p>1. Insert the following text at the end of text of Opportunity Site 5: Back Road, Ballybofey, Section 5.4.2 to read as follows (new text shown in blue):</p> <p>Opportunity Site 5: Back Road, Ballybofey</p> <p>“These lands are situated in the town centre core on either side of Back Road and are generally comprised of multiple vacant and derelict properties, many of these forming the rear curtilages of commercial properties fronting onto Main Street. The area also contains a small number of commercial and residential properties. Whilst the central parts of this area are generally rundown in appearance, the area is 'book-ended' at either end by quality developments in the form of Jackson's Hotel in the west, and the Villa Rose Hotel and new Butt Hall Centre to the east. The area is accessed by, and bisected by, the narrow Back Road. Access onto Back Road from the west is via Glenfin Street, but access on its eastern side is not possible at present except for a sub-standard narrow and low archway road onto Main Street. The development pattern in the area does not allow for a two-way road system along the entire Back Road area. However, DCC considers that it is a reasonable objective to seek to achieve a two-way road system from the western edge of Back Road as far as the Villa Rose Hotel roundabout, with the possibility of a one-way road from the roundabout for continuing east-bound traffic linking backup to the Main Street. The Council will encourage the land assembly of the site or part of the site, by a private developer, with a view to the preparation of a masterplan for the redevelopment and regeneration of the area. Policy BS-TC-5 refers.</p> <p>The SFRA identifies a significant portion of the site as falling within Flood Zone A. Having regard to the prime and strategic town centre location of the site, a development plan Justification Test was conducted for this site and concluded that the site passes the justification test for development of 'less vulnerable' land uses such as those identified in the Policy. The Report recommends that the text should be amended to provide that the flood risk assessment already referenced in the policy should explicitly consider residual risks of flooding and attenuation of rainfall during flood events (when flap valves are closed).</p> <p>Policy BS-TC-5 in the Draft LAP also supports the principle of</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | <p>other town-centre compatible uses. Such uses might include residential development and therefore it would be advisable to clarify that residential development will not be permitted within Flood Zone areas.”</p> |
| | <p>Section 5.4.4 (Town Centre Policies)</p> | <p>2. To insert the following text into the first paragraph of Policy BS-TC-5 :</p> <p>(text to be deleted shown in strikethrough, new text shown in blue)</p> <p>“It is a policy of the Council to consider proposals for retail, commercial or tourism development on Opportunity Site 5; or for development providing for a combination of some, or all, of the aforementioned uses, subject to compliance with the undernoted criteria, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. Other town centre-compatible uses shall also be considered in the context of a comprehensive Masterplan, that shall be accompanied by a detailed flood risk assessment of the Masterplan site in accordance with the ‘The Planning System and Flood Risk Management Guidelines’, November 2009’. Any such Flood Risk Assessment shall consider residual risks of flooding and attenuation of rainfall during flood events (when flap valves are closed). comprehensive flood risk assessment (and appropriate mitigation measures as appropriate), and A comprehensive traffic impact assessment (and appropriate mitigation measures as appropriate) shall also be submitted as part of any proposed development within the Masterplan site. In exceptional circumstances, proposals for minor development may be considered in the absence of a Masterplan where the Planning Authority is satisfied that the overall Masterplan approach would not be prejudiced.</p> <ol style="list-style-type: none"> 1. Proposals shall not prejudice the achievement of the Council's road and pedestrian/cycle access through this area as detailed in Objective BS-TC-2 above. 2. Development shall incorporate sufficient car parking to serve the proposed development. In this regard, internalised multi-storey car parking will be encouraged in order to make most efficient use of this brownfield site. 3. Development shall make provision for the indicative linked walkway along the River Finn frontage and shall incorporate appropriate areas of seating and proposals for hard and soft landscaping. 4. Design shall ensure that strong street frontages are provided along either side of Back Road. 5. In general, residential development will not be permitted |

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|---|---|
| | | within Flood Zone areas within the lifetime of this Plan unless otherwise varied/superseded." |

6.5.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA5.

6.5.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.5.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.6 Material Alteration Ref. BSMA6

6.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA6 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Economic Development ED3' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration BSMA6' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.6.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA6

6.6.3 Chief Executive's Response

Having regard to the absence of any submissions, to the relatively straightforward nature of this particular Material Alteration and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.7 Material Alteration Ref. BSMA7

6.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA7 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Recreation and Amenity' to 'Established Development' as identified on the map entitled 'Proposed Material Alteration BSMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.7.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA7.

6.7.3 Chief Executive's Response

Having regard to the absence of any submissions, to the relatively small-scale of this particular Material Alteration and to the established nature of the site, namely residential curtilage, see recommendation below.

6.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.8 Material Alteration Ref. BSMA8

6.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA8 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Recreation and Amenity' to 'Local Environment' as identified on the map entitled 'Proposed Material Alteration BSMA8' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.8.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA8.

6.8.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale of this particular Material Alteration, given that the former playing field use of this site is now redundant, see recommendation below.

6.8.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.9 Material Alteration Ref. BSMA9

6.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA9 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Local Environment' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration BSMA9' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.9.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA9.

6.9.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.9.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.10 Material Alteration Ref. BSMA10

6.10.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA10 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Local Environment' to 'Recreation and Amenity' as identified on map entitled 'Proposed Material Alteration BSMA10' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.10.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA10.

6.10.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.11 Material Alteration Ref. BSMA11

6.11.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA11 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of lands from 'Local Environment' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration BSMA11' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.11.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA11.

6.11.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.11.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.12 Material Alteration Ref. BSMA12

6.12.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA12 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | Amend the zoning of the lands from 'Local Environment' to 'Recreation and Amenity' identified on the map entitled 'Proposed Material Alteration BSMA12' in Appendix C of the Proposed Material Alterations Document (May 2018). |

6.12.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA12.

6.12.3 Chief Executive's Response

Whilst no submissions were received, previous consultations periods on both the County Development Plan 2018-2024 and the Draft Seven Strategic Town Local Area Plan 2018-2024 elicited significant numbers of submissions that were strongly in favour of the proposed rezoning as contained in this proposed Material Amendment. Furthermore the use proposed in the proposed Material Amendment would be consistent with zonings in previous plans including the Ballybofey/Stranorlar LAP (2005-2011), the Donegal County Development Plan (2012-2018), and the Donegal County Development Plan (2018-2024). Accordingly, see recommendation below.

6.12.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.13 Material Alteration Ref. BSMA13

6.13.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA13 | Section 5.4.2 (Opportunity Sites Located within or Adjacent to the Town Centres) | <p>1. Amend para. 5.4.2 in relation to 'Opportunity Site 1 as follows: (new text shown in blue)</p> <p>Opportunity Site 1: Ballybofey Town Centre</p> <p>"The lands comprising Opp Site 1 are located in the town centre core of Ballybofey, adjacent to the National Primary Road/Main Street and are a prime, high profile opportunity for a major development in the heart of the town centre. The lands are controlled by only a very small number of owners. Notwithstanding these advantages, a number of constraints will have to be addressed and a masterplan approach should be adopted to ensure that the maximum benefit is derived for the town.</p> <p>Most of the lands fall within Flood Zone B as per 'The Planning System and Flood Risk Management Guidelines', November, 2009 as identified in the CFRAMS. There is also an issue with the capacity of the storm sewer network. Accordingly, a comprehensive flood risk assessment shall be required for any development proposals in this area. The identification of the site within Flood Zone B, and the prime town centre location, determines that only retail and commercial uses shall be considered having regard to the contents of Para. 3.5 of the aforementioned Flood Risk Guidelines. Other uses above ground floor level shall be considered on their own merit.</p> <p>The junction of Main Street/Chestnut Road already experiences difficulties in terms of movements on to and off the National Road. Any major development in this area will only add to these issues. Accordingly, any such proposals must be accompanied by a traffic impact assessment and road safety audit. Revised junction arrangements may be required.</p> <p>The Planning Authority considers the existing parking area to the front of the Ballybofey Shopping Centre as a major opportunity to deliver a quality area of civic/public space for the town. This central area is a fundamental element of Ballybofey town centre and acts as a central hub for the community and for businesses alike. This area has the potential to significantly improve the character, appearance and function of the town from an economic, social and physical perspective. Any comprehensive development proposals for the Opp 1 area should provide for such a facility at this location whilst also providing for the replacement of</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | <p>the displaced parking spaces at an alternative location in close proximity to the existing parking area. To clarify, the civic space idea cannot proceed unless and until the parking to be displaced has already been replaced at an adjacent site.</p> <p>Having regard to the proposed relocation of Finn Harps Football Club to the Masterplan Area, Stranorlar, and the central location of the site of the current Finn Park stadium, this site is included within the Opp 1 site. Policy BS-TC-1 refers."</p> |
| | Section 5.4.4 (Town Centre Policies) | <p>2. Amend Policy BS-TC-1 in relation to 'Opportunity Site 1 as follows:</p> <p>(new text shown in blue)</p> <p>Policy BS-TC-1: "It is a policy of the Council to consider proposals for retail, commercial or tourism development on Opportunity Site 1; or for development providing for a combination of some, or all, of the aforementioned uses, subject to compliance with the undernoted criteria, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. Proposals shall only be considered in the context of a comprehensive masterplan, a comprehensive flood risk assessment (and appropriate mitigation measures as appropriate), and a comprehensive traffic impact assessment (and appropriate mitigation measures as appropriate). In exceptional circumstances, proposals for minor development may be considered in the absence of a Masterplan where the Planning Authority is satisfied that the overall masterplan approach will not be prejudiced. The design principles set out below shall form the basis of the terms of reference for a masterplan to guide and inform development of the site:</p> <ul style="list-style-type: none"> a) Design shall be of high quality, innovative and modern in architectural form so as to provide for landmark buildings and to contribute positively to the urban form. In particular, the existing car parking area to the front of the Ballybofey Shopping Centre may be the location for the development of a quality, designed civic space, subject to advance replacement of parking spaces that will be displaced at suitably convenient location(s). b) Proposals shall provide for a strong riverside frontage along the eastern side of the site. c) Proposals shall incorporate sufficient car parking to serve the proposed development. In this regard, internalised multi- storey car parking will be encouraged in order to make most efficient use of this brownfield site." <p>1. With specific reference to the current Finn Park part of the</p> |

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|---|---|
| | | site, a layout that provides for sufficient set back of frontage at Navenny Street so as to make sufficient provision for a public footpath and associated public lighting and drainage." |

6.13.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA13.

6.13.3 Chief Executive's Response

Having regard to the absence of any submissions and to the safeguards built in to the proposed policy providing that any redevelopment to the front of the Shopping Centre could only proceed on foot of "Advance Replacement of Parking Spaces that will be displaced at suitably convenient locations", see recommendation below.

6.13.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.14 Material Alteration Ref. BSMA14

6.14.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|--|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA14 | Section 5.5 (Economic Development) | <p>1. Amend the Draft LAP by deleting text as identified at the following locations: (deleted text shown in strikethrough)</p> <p>a) <u>Section 5.5.1 (second para.)</u></p> <p>"For these reasons, and given also the critical mass of the Twin Towns, the LAP identifies a number of sites for economic development purposes. Sites have been identified to the east (Strategic Economic Development Opportunity Sites 1 and Opportunity Site 6), south (Economic Development Site 1) and west (Economic Development Sites 2 and 3) of the towns at locations that would provide for convenient access to the National Primary Road network and also to provide a degree of profile/visibility. The LAP also includes an Objective to identify additional land for economic development on the western fringes of Ballybofey. This proposal is for the long-term and development in this area will only be realised as and when the Ballybofey-Stranorlar Bypass is completed and the current National Primary Road is 'down- graded' in category."</p> <p>b) <u>Section 5.5.1 (third and fourth paras.)</u></p> <p>"The above-noted Strategic Economic Development Opportunity Site (identified on the Land Use Zoning Map as SEDOS 1) is located at Mullindrait to the east of Stranorlar. These lands were zoned for 'Economic Development' in the Ballybofey/Stranorlar Local Area Plan, 2005-2011 and the Council has again identified these lands as representing a Strategic Economic Development Opportunity Site in the context of the above-noted Policy ED-P-15 of the Draft County Development Plan. The lands are bisected by the proposed Ballybofey/Stranorlar Bypass Route Corridor Reservation and the lands to the east of the aforementioned route are also located immediately adjacent to the proposed N15 Lifford to Ballybofey/Stranorlar Route Corridor Reservation.</p> <p>The aforementioned location adjacent to a section of the N15 National Primary Road with a speed limit greater than 60kph presents a key challenge to delivering development on these lands. In these circumstances, access is subject to National Roads Policy restricting new accesses, or the intensification of existing accesses, onto national roads where such a speed limit applies. Consequently, the realisation of the potential of these lands depends on the Council securing consent from</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|---|--|
| | | <p>Transport Infrastructure Ireland (TII) for a strategic access onto the N15 under the exemption set out in Section 2.6 of the Ministerial Planning Guidelines 'Spatial Planning and National Roads'. The identification of this strategic opportunity and associated access/junction proposal in this Draft LAP is a significant step in doing so. The Council will enter into negotiations with TII in this regard."</p> <p>c) Objective BS-ED-1</p> <p>d) "It is an objective of the Council to develop lands zoned Strategic Economic Development Opportunity Site 1 (SEDOS 1) for strategic economic development inclusive of identifying an agreed access solution to said lands onto the N15 in consultation with Transport Infrastructure Ireland." <u>Policy BS-ED-2</u></p> <p>"It is a policy of the Council to facilitate economic development proposals of a strategic economic development nature inclusive of proposals related to Class 3 (office); Class 4 (light industrial); Class 5 (wholesale warehouse or repository); manufacturing, information technology, international traded services, and high-end services manufacturing on land zoned Strategic Economic Development Opportunity Site 1 (SEDOS 1). Proposals shall only be considered in the context of an agreed Masterplan for the entirety of the Opportunity Site. The Masterplan, and any subsequent development, shall dovetail with, and incorporate as necessary, the Ballybofey/Stranorlar Bypass route; and (2.) the proposed N15 Lifford to Ballybofey/Stranorlar Route Corridor Reservation. The Masterplan shall make adequate provision to ensure the protection of residential amenities of existing residential properties situated adjacent to the National Primary Road by means of the identification of adequate buffer zone(s)".</p> |
| | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | 2. Amend the zoning of lands from 'Strategic Economic Development Opportunity Site (SEDOS) to 'Local Environment' as identified on the map entitled 'Proposed Material Alteration BSMA14' in Appendix C of this report. |

6.14.2 Summary of Submissions

No public submissions were received in respect of Material Alteration BSMA14. One prescribed body submission was received from TII and is summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | The TII supports the proposal and recommends that an amendment be introduced to confirm that access onto the National Road where the |

| | | |
|--|--|--|
| | | maximum speed limit applies will be subject to the application of Policy T-P-4 of the CDP 2018-2024 (control of access onto national roads where the maximum speed limit applies) to ensure compliance with the provisions of official policy. |
|--|--|--|

6.14.3 Chief Executive's Response

TII's support for the Material Alteration is noted. With regard to the amendment suggested by TII re access onto the National Road from the proposed new Local Environment zoning, this is covered by Chapter 5 and Appendix 3, Development Guidelines and Technical Standards of the CDP 2018-2024 that sets out objectives, policies and guidelines for the facilitation of, inter alia, access onto the national roads network in the context of compliance with national guidelines.

6.14.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.15 Material Alteration Ref. BSMA15

6.15.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|--|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA15 | Section 5.9 (Environment and Heritage) | <p>1. Insert new para. at end of Section 5.9.1: (new text shown in blue)</p> <p><i>"As already noted elsewhere in this Section of the LAP, the River Finn running through the Twin Towns is an important asset and feature for the towns. The River creates enormous opportunities for the achievement of quality urban design that provides sympathetic integration with the River, as opposed to development that 'turns its back' on the resource."</i></p> |
| | | <p>2. Insert new Policy at end of Section 5.9.1: (new text shown in blue)</p> <p>Policy BS-EH-1: "It is a policy of the Council to ensure quality design solutions for developments located adjacent to the River Finn, where such sites are centrally-located in the towns and visible to the public. In general terms, such developments will be required to demonstrate sympathetic integration with the River and, in this regard, proposals that 'turn their back' on the River will not generally be supported."</p> |

6.15.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA15.

6.15.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

6.15.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.16 Material Alteration Ref. BSMA16

6.16.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|---|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA16 | Section 5.6.4 (Housing Policies) | <p>1. Insert new policy BS-H-2: (new text shown in blue)</p> <p>Policy BS-H-2: "It is a policy of the Council that any applications for redevelopment of the unfinished estate located generally opposite the estate known as 'The Beeches', Navenny, Ballybofey shall be accompanied by a site specific flood risk assessment."</p> |
| | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | <p>2. Add new notation to Ballybofey -Stranorlar Land Use Zoning Map in the vicinity of the subject site to read as follows: (new text shown in blue)</p> <p>All applications for redevelopment of this area shall be accompanied by a site specific flood risk assessment.</p> |

6.16.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BSMA16.

6.16.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

6.16.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

6.17 Material Alteration Ref. BSMA17

6.17.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|--|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| BSMA17 | Map No. 3 (Draft Land Use Zoning Map for Ballybofey-Stranorlar) | 1. Amend the zoning of the lands identified from: (a.) 'Local Environment'; and (b.) 'Recreation and Amenity' to 'Primarily Residential' as identified on the map entitled 'Proposed Material Alteration BSMA17' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 5.6.2 - Table 5.1 (Total lands Identified to meet Residential Housing Need in Ballybofey-Stranorlar) | 2. Amend Table 5.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

6.17.2 Summary of Submissions

No public or prescribed body submissions were received in relation to BSMA17.

6.17.3 Chief Executive's Response

BSMA17 relates to lands between the Glenfin Road, Ballybofey and the River Finn which were identified in the Draft LAP as a combination of 'Recreation and Amenity', 'Local Environment' and 'Established Development.' On foot of a submission to the Draft LAP which sought the rezoning of the lands to 'Primarily Residential', the CE Report at that time (entitled 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018') recommended that residential development at this location would not be appropriate for reason of (i) there is an adequate quantum of lands already provided in the Draft LAP that are more appropriately located for the sequential growth of the town (ii) the nature of the local environment and existing walkway at this location and its contribution to the vision for the town in relation to recreation and; (iii) the risk of flooding at this location.

Notwithstanding the publication of proposed Material Alteration BSMA17, contrary to the recommendation of the previous CE Report, it remains that the lands do not provide the optimum location for residential development having regard to the nature of the local and natural environment, the core strategy quantum for Ballybofey-Stranorlar and the sequential growth of the town. Furthermore, lands in the vicinity of the delineated site are evidenced through the Strategic Flood Risk Assessment to be at risk of flooding.

6.17.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

6.18 Material Alteration Ref. GENMA3(3)

6.18.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|---|---|--|
| Chapter 5: Ballybofey-Stranorlar | | |
| GENMA3(3) | Section 5.7.1 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents mapping as set out at Appendix B of this document. |

6.18.2 Summary of Submissions

No public or prescribed body submissions were received in respect of GENMA(3).

6.18.3 Chief Executive's Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 5.7.1 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan aforementioned thereby replacing the CFRAMs exercise previously referred to in the Plan. For these reasons, see recommendation below.

6.18.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7 PROPOSED MATERIAL ALTERATIONS BALLYSHANNON

7.1 Material Alteration Ref. BYMA1

7.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 6: Ballyshannon | | |
| BYMA1 | Section 6.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | <p>1. Amend para. 6.5.2 on Opportunity Site 1: Business Park at Carrickboy as below: (new text shown in blue)</p> <p>Opportunity Site 1: Business Park at Carrickboy</p> <p>"This site comprises approximately 10.7 hectares of land having previously been the location of the IDA Business Park in Ballyshannon. The site contains a number of vacant commercial buildings, the Ballyshannon IT Centre which houses the 999 emergency call centre and an area of undeveloped lands to its most southerly point. Its development has the potential to open up lands for development through the delivery of strategic roads that would improve accessibility and movements south of the river. The site has an existing access point and service road via a local road to West Port which may require improvements in width, alignment and junction arrangement to accommodate significant development. These lands have the potential to provide for a cluster of economic development including enterprise, commercial development, research, innovation, business, manufacturing, services, IT, start-ups and health related or education. The site is significantly under-utilised at present and the Council will explore the most appropriate means of addressing this issue. A small part of the site in the south-eastern corner has been identified as Flood Zone A in the Stage 2 SFRA (refer to flood mapping). Given the small extent of this area, it would be disproportionate to re-zone this area. Rather, a more measured approach in this case would be to require that any potential future development that will encroach towards this part of the site may be required to submit a site specific flood risk assessment with the planning application. Policy BY-ED-1- refers."</p> |
| | Section 6.5.4 (Economic Development Policies) | <p>2. Amend Policy BY-ED-1 as below: (new text shown in blue):</p> <p>Policy BY-ED-1: "It is the policy of the Council to consider</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | <p>proposals for the development of enterprise, commercial development, research, innovation, digital technology, business, manufacturing, services, IT, start-ups and health related or education on Opportunity Site 1 (Business Park at Carrickboy), or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria including the requirements of the Habitats Directive and environmental considerations, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. Any development proposals shall make appropriate provision of the delivery of indicative Strategic Roads. Residential and retail development shall not be permitted at this location. The Council will explore the most appropriate vehicle with which to promote and market the potential of this site, subject to the identification of appropriate resources. Planning applications for development that will encroach towards the south-eastern part of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment with the planning application."</p> |

7.1.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA1.

7.1.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

7.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.2 Material Alteration Ref. BYMA2

7.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA2 | Section 6.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | <p>1. Amend para. 6.5.2 on Opportunity Site 4: Former Mill and Distillery as below: (new text shown in blue)</p> <p>“Located at the water’s edge, this brownfield site was originally the location of a former mill and distillery and also housed the office of the Heitons Building Suppliers. The site is approximately 1 hectare and comprises a number of partially demolished buildings and a structure that is on the Record of Protected Structures. This is a prominent waterfront location that adjoins the Donegal Bay SPA and therefore its development involves environmental considerations. It also has a visual relationship with Opportunity Site 4-5 which comprises the pier on the other side of the river and its associated nearby lands identified as Opportunity Site 5. Given its waterfront location, its historical context and its proximity to the town centre, this site has the potential for a mix of development including tourism related and associated small scale commercial/ niche type activities together with potential for limited residential development. Its redevelopment will require a heritage-led approach. The northern portion of the site is located in Flood Zone A (refer to flood mapping) and as such any development proposals for this portion of the site must be 'water-compatible' as defined in the 'Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG/OPW, November 2009) including marine, leisure, recreation and tourism related development. Policy BY- ED-4 refers.”</p> |
| | Section 6.5.4 Economic Development Policies | <p>2. Amend Policy BY-ED-4 as below: (new text shown in blue)</p> <p>Policy BY-ED-4: “It is the policy of the Council to consider proposals for the development of tourism related and associated small scale commercial/ niche type activities together with potential for limited residential development at Opportunity Site 4 (Former Mill and Distillery), or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria, all other relevant policies of the LAP</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|---|---|
| | | <p>including environmental considerations and taken in the context of the proper planning and sustainable development of the area. Proposals incorporating an element of residential development shall provide for a maximum number of 18 units. Any proposals for commercial development comprising a retail element shall be subject to the sequential approach set out in the Draft CDP. In addition, any proposal shall be required to adequately demonstrate (j) the conservation of a protected structure located within the site (ii) massing and scale that is appropriate for this sensitive waterfront location and (iii) that the development will not result in significant environmental impacts on the Donegal Bay SPA and (iv) compliance with the Habitats Directive.</p> <p>Development proposals for the northern half of the site (refer to flood mapping) must be 'water-compatible' as defined in the 'Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG/OPW, November 2009) including marine, leisure, recreation and tourism related development.'</p> |
| | Section 6.6.2 - Table 6.1 (Total lands Identified to meet Residential Housing Need in Ballyshannon) | <p>3. Amend Table 6.1 to omit any housing unit yield from this site during the life of the Plan due to the longer-term lead-in times anticipated prior to housing units being delivered at this site as set out at Appendix A at the end of this document.</p> |

7.2.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA2.

7.2.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

7.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.3 Material Alteration Ref. BYMA3

7.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA3 | Section 6.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | <p>1. Amend para. 6.5.2 on Opportunity Site 5: The Mall Quay as below: (new text shown in blue)</p> <p>Opportunity Site 5: The Mall Quay</p> <p>“This site comprises approximately 1 hectare of land and is the location of the pier, which is a Protected Structure together with a number of low level commercial storage buildings. The site is located at the mouth of the River Erne, adjoining the Donegal Bay SPA and facing the archaeologically important Inis Samer Island to the south-west. This site is a key historical location in the town as the pier is a reminder of the importance of Ballyshannon as a thriving port and regional market centre, particularly during the late-eighteenth and the nineteenth centuries. This is a prime site, located at the western edge of the historic street known as The Mall where there is a concentration of historic buildings identified on the Record of Protected Structures and/or National Inventory of Architectural Heritage. The town centre, via The Mall is in ready walking distance of the site and to the immediate north of the site there has been significant investment in recreational infrastructure in the form of open space encircled by a walkway, a children’s playground and an outdoor gym. The development of this site for marine, leisure, recreation and tourism related development would improve public access to this historically important site and would add to the network of Ballyshannon’s heritage assets and recreational infrastructure that can be availed of by the public and visitors. The western portion of the site is located in Flood Zone A (refer to flood mapping) and as such any development proposals for this portion of the site must be 'water-compatible' as defined in the 'Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG/OPW, November 2009) including marine, leisure, recreation and tourism related development Policy BY-ED-5 refers.”</p> |
| | Section 6.5.4 (Economic Development Policies) | <p>2. Amend Policy BY-ED-5 as below: (text to be deleted shown in strikethrough, new text shown in blue)</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | <p>“It is the policy of the Council to consider proposals for the development of marine, leisure, recreation and tourism related development on Opportunity Site 5 (The Mall Quay), or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria, all other relevant policies of the LAP including environmental considerations and taken in the context of the proper planning and sustainable development of the area. Any proposal for development shall be required to adequately demonstrate:</p> <ul style="list-style-type: none"> i. the protection of archaeological records and monuments that may be impacted upon ii. massing and scale that is appropriate for this sensitive waterfront location iii. that the development will not result in significant environmental impacts on the Donegal Bay SPA iv. compliance with the Habitats Directive and v. adequate public pedestrian and cycle access. <p>Development proposals for the western half of the site (refer to flood mapping) must be 'water-compatible' as defined in the 'Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG/OPW, November 2009) including marine, leisure, recreation and tourism related development.”</p> |

7.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA3.

7.3.3 Chief Executive’s Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

7.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.6

7.4 Material Alteration Ref. BYMA4

7.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA4 | Section 6.4.3 (Opportunity Sites Located within the Defined Town Centre) | <p>1. Amend para. 6.4.3 on Opportunity Site 9: Bachelor's Walk as below:</p> <p>(text to be deleted shown in strikethrough, new text shown in blue)</p> <p>Opportunity Site 9: Bachelor's Walk</p> <p>"This site comprises approximately 2.5 hectares and is the only town centre Opportunity Site that has not been previously developed. It is located at the northern end of Main Street with road frontage along Bachelor's Walk and it provides an opportunity for sustainable town centre expansion. Its northern boundary adjoins existing residential development. and lands to the immediate West are zoned 'Primarily Residential' (PR1). This site has the potential for a mix of town centre uses to be planned from the southern portion lands closest to the town centre firstly with the sequential development of the remainder of the land. In the event of residential development, the preferred location is to the most northerly section of the site. An indicative strategic road line traverses the site east-west and links through PR1 and this would provide for primary vehicular access to the site via Bishops Street. The southernmost part of the site is located with the archaeological complex of Ballyshannon. Part of the northern end of the site has been identified as Flood Zone B in the SFRA report. Residential development will not be permitted on this part of the site. Planning applications for other forms of development that will encroach towards the northern part of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment with the planning application. Policy BY-TC-7 refers."</p> |
| | Section 6.4.5 (Town Centre Policies) | <p>2. Amend Policy BY-TC-7 as below:</p> <p>(text to be deleted shown in strikethrough, new text shown in blue)</p> <p>Policy BY-TC-7: "It is the policy of the Council to consider proposals for the development of town centre uses on Opportunity Site 9 (Bachelor's Walk), subject to compliance with the undernoted criteria, all other relevant policies of the LAP and taken in the context of the proper planning and</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | <p>sustainable development of the area. Any proposals for part only of the site shall ensure the delivery of the most southern portion of the site first closest to the town centre followed by the incremental development of the remainder of the site. Proposals shall also be able to provide for the indicative strategic roads access that traverses the site and ensure that there will be no negative impact on material associated with the designated archaeological complex.</p> <p>Residential development will not be permitted on the northern part of the site. Planning applications for other forms of development that will encroach towards the northern part of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment with the planning application.”</p> |

7.4.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA4.

7.4.3 Chief Executive’s Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

7.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.5 Material Alteration Ref. BYMA5

7.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA5 | Section 6.5.4 (Economic Development Policies) | <p>Insert New Policy BY-ED-7: (new text shown in blue)</p> <p>Policy BY-ED-7: "It is a policy of the Council to consider proposals for the development of the site zoned as 'Economic Development' at Station Road, and immediately to the south-east of Site PR4, for economic development uses consistent with the zoning objectives for sites zoned for 'Economic Development' in Table 3.1 of the Plan. Planning applications for development that will encroach towards the south-western part of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment with the planning application."</p> |

7.5.2 Summary of Submissions

No public submissions were received in respect of BYMA5. One prescribed body submission was received from TII and is summarised below.

| Ref | Name | Summary |
|-----|------|---|
| PB2 | TII | Consider that Planning Applications for development proposals at this location be accompanied by a TTA undertaken in accordance with the TII Traffic and Transport Assessment Guidelines (2014). The assessment should include the proposal and the cumulative impact of other development lands including neighbouring developments on the road network and adjoining NP junction. TII state that a road safety audit should also be undertaken where relevant and would welcome the consideration and inclusion of this into the LAP prior to adoption having regard to the impact on the efficiency and safety of the adjoining strategic national road network. |

7.5.3 Chief Executive's Response

The detailed consideration of the impact of the proposed development on the National Road network is undertaken as part of the development management process during the consideration of a planning application; as part of this process, any such application potentially impacting on the function of a National Road shall also be referred to the TII for comment.

7.5.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.6 Material Alteration Ref. BYMA6

7.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA6 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Strategic Residential Reserve' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration BYMA6' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.6.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA6.

7.6.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

7.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.7 Material Alteration Ref. BYMA7

7.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA7 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend Map to identify an indicative pedestrian route/walkway along the bypass between the Donegal Road Roundabout and Rossnowlagh Road Roundabout as identified on the map entitled 'Proposed Material Alteration BYMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.7.2 Summary of Submissions

There were no public submissions received in respect of BYMA7. One prescribed body submission was received from TII and is summarised below.

| Ref | Name | Summary |
|-----|------|---|
| PB2 | TII | The submission states that where the proposed indicative pedestrian route/walkway ties in from the R231 to the NP roundabout is at a location where the 100kph speed limit applies, and significant road safety interactions need to be resolved when introducing vulnerable road users at this location. TII recommend that road safety issues be addressed to ensure the safety of all road users and ensure the strategic transport function of the NP network. TII would welcome an acknowledgement of this requirement in the LAP prior to adoption and requests consultation with TII prior to any proposed alterations to the NP to facilitate this objective. |

7.7.3 Chief Executive's Response

The detailed consideration of the impact of the proposed development on the National Road network is undertaken as part of the development management process during the consideration of a planning application, or Part 8 proposal; as part of this process, any such application potentially impacting on the function of a National Road shall also be referred to the TII for comment.

Having regard to the justification for identification of the potential greenway as set out in the previous Chief Executive's Report entitled, it is considered reasonable and appropriate to proceed with the proposed Material Alteration. Note the previous CE report outlined that a central element of the LAP strategy is to pursue the expansion of the greenway network and that the Ballyshannon greenways

potentially align with 2 of the County-level routes as included in the County Donegal Development Plan 2018-2024.

7.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.8 Material Alteration Ref. BYMA8

7.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA8 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend Map to identify an indicative greenway route along the old Ballyshannon to Creevy/Rossnowlagh railway as identified on the map entitled 'Proposed Material Alteration BYMA8' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.8.2 Summary of Submissions

No public submissions and no prescribed bodies submissions were received in respect of BYMA8.

7.8.3 Chief Executive's Response

Having regard to the justification for identification of the potential greenway as set out in the previous Chief Executive's Report entitled, 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018', it is considered reasonable and appropriate to proceed with the proposed Material Alteration. Note the previous CE report outlined that a central element of the LAP strategy is to pursue the expansion of the greenway network and that the Ballyshannon greenways potentially align with 2 of the County-level routes as included in the County Donegal Development Plan 2018-2024.

7.8.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.9 Material Alteration Ref. BYMA9

7.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA9 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the Map to include indicative greenway routes along: (i) the old Ballyshannon to Bundoran Railway; and (2) along the old Ballyshannon to Bundoran (Finner) Road as identified on the map entitled 'Proposed Material Alteration BYMA9' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.9.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA9.

7.9.3 Chief Executive's Response

Having regard to the justification for identification of potential greenways as set out in the previous Chief Executive's Report entitled, 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018', it is considered reasonable and appropriate to proceed with the proposed Material Alteration. Note the previous CE report outlined that a central element of the LAP strategy is to pursue the expansion of the greenway network and that the Ballyshannon greenways potentially align with 2 of the County-level routes as included in the County Donegal Development Plan 2018-2024.

7.9.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.10 Material Alteration Ref. BYMA10

7.10.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA10 | Section 6.8.2 (Tourism, Marine and Recreation Objectives) | Include a new objective to support the potential development of greenway/walkway/cycleway projects in Ballyshannon as follows: (new text shown in blue) Objective BY-TMR-6: "It is an objective of the Council to secure the development of new greenway/walkway/cycleway projects in Ballyshannon." |

7.10.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA10.

7.10.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

7.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.11 Material Alteration Ref. BYMA11

7.11.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA11 | Section 6.8.3 (Tourism, Marine and Recreation Policies) | <p>Include a new policy to support the potential development of greenway/walkways/cycleways along established/historic railways. (new text shown in blue)</p> <p>Policy BY-TMR-6: "It is a policy of the Council to protect established/historic railways in Ballyshannon to allow the development of a network of green infrastructure for potential greenway/walkway/cycleway projects and for recreational development as an important part of the tourism product of the town."</p> |

7.11.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA11.

7.11.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

7.11.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.12 Material Alteration Ref. BYMA12

7.12.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA12 | Section 6.8.2 (Tourism, Marine and Recreation Objectives) | <p>Include a new objective in the Draft LAP to support the potential development of a new coastal walk to join the Creevy coastal path as follows:</p> <p>(new text shown in blue)</p> <p>Objective BY-TMR-7: "It is an objective of the Council to explore the potential of achieving a coastal walk running from the existing recreation ground on the Mall, to the Abbey Bay (and St Patricks well) and continuing to join the Creevy coastal path."</p> |

7.12.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA12.

7.12.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

7.12.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.13 Material Alteration Ref. BYMA13

7.13.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA13 | Section 6.8.3 (Tourism, Marine and Recreation Policies) | <p>Include a new policy in the Draft LAP to support the potential development of a new coastal walk to join the Creevy coastal path as follows:</p> <p>(new text shown in blue)</p> <p>Policy BY-TMR-7: "It is the policy of the Council to seek to preserve the route of the potential future coastal walk running from the existing recreation ground on the Mall, to the Abbey Bay (and St Patrick's Well) and continuing to join the Creevy coastal path. Developments shall only be permitted where it can be demonstrated that delivery of the said route shall not be prejudiced."</p> |

7.13.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA13.

7.13.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

7.13.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.14 Material Alteration Ref. BYMA14

7.14.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA14 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Local Environment' to 'Established Development' as identified on the map entitled 'Proposed Material Alteration BYMA14' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.14.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA14.

7.14.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

7.14.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.15 Material Alteration Ref. BYMA15

7.15.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 6: Ballyshannon | | |
| BYMA15 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | 1. Amend the zoning of lands from; (a.) 'Primarily Residential' to 'Recreation and Amenity'; and (b.) from 'Local Environment' to 'Recreation and Amenity'. as identified on the map entitled 'Proposed Material Alteration BYMA15'. |
| | | 2. Remove the indicative strategic road route from the subject site (PR1) and the adjoining Opportunity Site 9 as identified on the map entitled 'Proposed Material Alteration BYMA15' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 6.6.2 - Table 6.1 (Total lands Identified to meet Residential Housing Need in Ballyshannon) | 3. Amend Table 6.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

7.15.2 Summary of Submissions

No public submissions or submissions from prescribed bodies were received in respect of BYMA15.

7.15.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

7.15.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.16 Material Alteration Ref. BYMA16

7.16.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA16 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Recreation and Amenity' to 'Opportunity Site 5' as identified on the map entitled 'Proposed Material Alteration BYMA16' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.16.2 Summary of Submissions

There have been no public submissions received in respect of BYMA16. One prescribed body submission was received from Irish Water as summarised below.

| Ref | Name | Summary |
|-----|-------------|--|
| PB6 | Irish Water | Several re-zoned sites have existing sewers traversing them (eg DTMA20 and BYMA16). The development of such sites would require the protection of and access to existing water services to be maintained. Building over sewers to be avoided and it may be required to divert existing sewers to facilitate development. |

7.16.3 Chief Executive's Response

The comments of Irish Water are noted. The issue of existing pipes crossing potential development sites is not uncommon, and should not preclude the principle of development; rather, it is a matter to be dealt with at detailed planning application stage. Having regard to the absence of any other submissions, and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

7.16.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration

7.17 Material Alteration Ref. BYMA17

7.17.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 6: Ballyshannon | | |
| BYMA17 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | 1. Amend the zoning of the lands from (a.) part 'Strategic Residential Reserve'; and (b.) part 'Local Environment' to 'Primarily Residential', including identifying the northern portion of site as being suitable for site access and ancillary open space only as identified on the map entitled 'Proposed Material Alteration BYMA17' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 6.6.2 - Table 6.1 (Total lands Identified to meet Residential Housing Need in Ballyshannon) | 2. Amend zoning from 'Strategic Residential Reserve' to 'Recreation and Amenity' as identified on the map entitled 'proposed Material Alteration BYMA17' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 6.6.4 (Housing Policy) | 3. Amend Table 6.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |
| | | 4. Insert new Policy BY-H-3: (new text shown in blue) "It is a policy of the Council that any proposed layout for 'Primarily Residential' Site PR1 shall ensure: a) Compatibility with possible future development to the west and east, b) Pedestrian access is achieved between the site and Bachelors Walk; The pedestrian access referenced at 4b above should be designed so as to allow for its extension into the adjacent 'Strategic Residential Reserve' lands." |

7.17.2 Summary of Submissions

No prescribed body submissions have been received in respect of BYMA17. One submission was received from an agent on behalf of a member of the public and is summarised below.

| Ref | Name | Summary |
|-----|---------------------|---|
| BY1 | Allanarc Architects | <p>The submission notes an understanding that the proposal to restrict the use of the Northern Portion of the site to 'site access and ancillary open space only' is due to possible flooding. The writers advise that they have carried out a topographical study of the lower levels of the site and they provide a no. of detailed levels in this regard at the site and in the vicinity.</p> <p>The submission contends that local investigations have confirmed that there has been no flooding of the ground around the roundabout in living memory and suggest that it would require an extraordinary flood level of 3m above the river (i.e. 2m above the road at the roundabout) to cause any flooding on the subject site. The submission also contends that the business adjacent the site of the proposed Material Alteration (which is stated to be on lower lying lands than the proposed Material Alteration site) has not flooded during their approx. 40 years at that site.</p> <p>Having regard to the site history and the ground levels in the area, the submission contends that the flood risk area depicted on the maps is not based on reality and requests that the area referred to as the 'Northern Portion' be zoned as 'Primarily Residential'.</p> |

7.17.3 Chief Executive's Response

The flood zones depicted on the maps accompanying the Strategic Flood Risk Assessment (SFRA) have been generated using a combination of data including site walkovers, the OPW's Catchment Flood Risk Assessment and Management study (CFRAM) and information relating to the likely impacts of climate change. In the case of Ballyshannon however, no CFRAM data was available and as such the flood zones are based primarily on a buffer zone which has been applied to a watercourse passing through/under the subject lands, as identified by the EPA blue line network, and which also reflects marshy lands identified by Tobin Consulting Engineers following a site visit and inspection of aerial photography.

The information provided in the submission in relation to the absence of historical flooding events in the area and in relation to ground levels on site has been noted and discussed with Area Roads staff, who in turn have confirmed (a.) that the road to the immediate north of the subject lands is at the same level as said lands, (b.) that they have no records of the road to the north of the subject lands ever having flooded and (c.) that the Roads Depot opposite the subject lands (located immediately adjacent to the river) has never flooded.

Having regard to the absence of any historical flooding in this area and to the levels on site, it is considered reasonable and appropriate that the proposed restrictions on developing the northern portion of the site be omitted, and that potential flood risk on these lands be addressed by way of a site specific flood risk assessment, as set out in the 'Recommendation below'.

7.17.4 Recommendation

1. Omit the proposed restriction on developing the northern portion of the subject lands (which would have identified the northern portion as being suitable for site access and ancillary open space only) from Map No. 4, Draft Land Use Zoning Map for Ballyshannon.

2. Amend proposed Policy BY-H-3 as follows (new text in red, deletions in ~~strike through~~):

"It is a policy of the Council that any ~~proposed layout for~~ developments proposed on 'Primarily Residential' Site PR1 shall ensure:

a) Ensure ~~E~~compatibility with possible future development to the west and east,

b) Ensure ~~P~~pedestrian access is achieved between the site and Bachelors Walk ~~and~~

c) Be accompanied by a site specific flood risk assessment, prepared in accordance with the principles and guidance outlined in the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities (2009) or any subsequent iteration of these guidelines.

The pedestrian access referenced at b above should be designed so as to allow for its extension into the adjacent 'Strategic Residential Reserve' lands."

3. Amend Table 6.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments set out above.

7.18 Material Alteration Ref. BYMA18

7.18.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA18 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Extend the river walkway westwards from the footbridge towards Opportunity Site 4 as identified on the map entitled 'Proposed Material Alteration BYMA18' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.18.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA18.

7.18.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

7.18.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.19 Material Alteration Ref. BYMA19

7.19.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA19 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Local Environment' to 'Established Economic Development' as identified on the map entitled 'Proposed Material Alteration BYMA19' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.19.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA19.

7.19.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

7.19.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.20 Material Alteration Ref. BYMA20

7.20.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA20 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Local Environment' to 'Economic Development' as identified on the map entitled 'Proposed Material Alteration BYMA20' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.20.2 Summary of Submissions

No public submissions were received in respect of BYMA20. Two submissions were received from prescribed bodies and are summarised below.

| Ref | Name | Summary |
|-----|-------|--|
| PB2 | TII | Consider that Planning Applications for development proposals at this location be accompanied by a TTA undertaken in accordance with the TII traffic and Transport Assessment Guidelines (2014) assessing the proposal and cumulative impact of other development lands and neighbouring developments on the road network and adjoining NP junction; a road safety audit should also be undertaken where relevant. Would welcome the consideration and inclusion of this into the LAP prior to adoption having regard to the impact on the efficiency and safety of the adjoining strategic national road network. |
| PB7 | DHPLG | Recommends that the Council assesses the possible cumulative effect of this Proposal in the context of the other 2 economic development sites adjacent to the N15 junction; refers to the requirement in the statutory 'spatial planning and national roads guidelines' that Planning Authorities exercise particular care in their assessment and management of development proposals relating to the zoning of locations at or close to National Primary junctions. Notes that there are no access proposals to any of these lands in the SSTLAP, no evidence base has been established to demonstrate that accessibility to and additional traffic loading generated by the zoning objective could be satisfactorily accommodated at this NP location while safeguarding the strategic function of the network, and that the proposal has the potential to impact directly on the operation of the strategic NP road. |

7.20.3 Chief Executive's Response

The submissions from TII and the DHPLG are noted, and both relate to access arrangements and in particular potential impact on the national road network. Having regard to the modest scale of the referenced sites and also to the fact that it is not proposed to access on to the National Road, it is considered reasonable to proceed on the basis that the detailed consideration of the impact of the proposed development on the National Road network be undertaken as part of the development management process during the consideration of a planning application; as part of this process, any such application potentially impacting on the function of a National Road shall also be referred to the TII for comment.

7.20.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.21 Material Alteration Ref. BYMA21

7.21.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 6: Ballyshannon | | |
| BYMA21 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | 1. Amend the zoning of lands from (a.) 'Local Environment' and (b.) 'Economic Development' to 'Opportunity Site 11' as identified on the map entitled 'Proposed Material Alteration BYMA21' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 6.4.3 (Opportunity Sites Located Within the Defined Town Centre) | 2. Amend Section 6.4.3 'Opportunity Sites Located Within the Defined Town Centre' as follows: (text to be deleted shown in strike through and new text shown in blue) "A total of 10 11 Opportunity Sites have been identified in this LAP due to their potential to contribute to the economic development of Ballyshannon and/or due to their particular strengths, characteristics or requirements." |
| | Section 6.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | 3. Amend Section 6.5.2 'Opportunity Sites Located Outside the Defined Town Centre' by the insertion of the following new paragraph (new text shown in blue): Opportunity Site 11: Coolcholly "This site comprises approximately 7.6 hectares of greenfield land located at a strategic gateway point into the town, adjacent to the Morning Star roundabout and Bachelor's Walk. It is intended to promote/facilitate development on these lands to maximise their dominant strategic gateway location/entrance to the town. Developments should actively address road frontages and the entrance to the town should demark this significant junction by appropriately scaled and designed developments which make a positive contribution to this historic and heritage town. Access to the site shall be from the R231 Regional Road and shall be subject to detailed design proposals. Having regard to the location of the site it has the potential for a range of uses including hotel, industry, warehousing/storage, petrol station and associated services, offices/call centre and R&D but excluding retailing (including convenience, comparison and |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|---|
| | | bulky retailing). Any ancillary convenience retailing associated with a petrol station will be subject to Policy RS-P-10 in the Draft CDP 2018-2024 which restricts any shop associated with a petrol station to 100 sq.m. net retail area. It is important to note that a central portion of the proposed Opp 11 has been identified as Flood Zone B in the Stage 2 Strategic Flood Risk Assessment, prepared by Consultants on behalf of the Council, and as such any potential future development of these lands would need to be accompanied by a site specific flood risk assessment. |
| | Section 6.5.4 (Economic Development Policies) | <p>4. Amend Section 6.5.4 Economic Development Policies by inserting the following additional policy</p> <p>(new text shown in blue):</p> <p>Policy BY-ED-7: "It is the policy of the Council to consider proposals for hotel, industry, warehousing/storage, petrol station and associated services, offices/call centre and R&D but excludes retailing (including convenience, comparison and bulky retailing) related development on Opportunity Site 11 (Coolcholly), or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria, including the requirements of the Habitats Directive and environmental considerations, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. Any proposal for ancillary convenience retailing associated with a petrol station will be subject to Policy RS-P-10 in the Draft CDP 2018-2024 which restricts any shop associated with a petrol station to 100 sq.m. net retail area. Proposals for development on this site will be required to demonstrate compliance with the flood risk assessment and management objectives and policies set out in the Draft CDP 2018-2024. Proposals shall also be required to demonstrate traffic management measures within the site and to the site from the surrounding roads infrastructure."</p> |

7.21.2 Summary of Submissions

No public submissions were received in respect of Material Alteration BYMA21. Two submissions were received from prescribed bodies and are summarised below.

| Ref | Name | Summary |
|-----|------|---|
| PB2 | TII | TII recommend careful consideration of the proposal prior to adoption of the Plan, stating there does not appear to be a required evidence base prepared to demonstrate that additional traffic generated by development proposals can be catered for at the NP junction complementary to safeguarding the strategic function of the National Road. TII consider that |

| | | |
|-----|-------|--|
| | | such an assessment be undertaken prior to any decision to include this Material Alteration in the LAP. Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines are highlighted that require Planning Authorities exercise particular care in their assessment of Development Plan proposals relating to development/zoning objectives at or close to interchanges where same would generate significant additional traffic with potential to impact to national roads. Furthermore that Planning Authorities must ensure development is consistent with planning policies and can be catered for by design assumptions underpinning such junctions and interchanges and thereby avoiding potentially compromising the capacity and efficiency of the national road and junctions and possibly leading to the premature and unacceptable reduction in the level of service for road users. |
| PB7 | DHPLG | Requests that zoning of Opportunity site 11 be removed as it lends itself to non-sequential development and unnecessarily extends the town outwards rather than consolidating its urban form, and that the zoning revert to 'Local Environment'. |

7.21.3 Chief Executive's Response

The comments of the TII but noted must be balanced against the fact that detailed roads matters, inclusive of the submission of a Road Safety Audit and a Traffic Impact Assessment, were considered under PP 07/20428 for a large development at this site of the nature provided for in the proposed zoning with the application being granted planning permission. Having regard to this earlier positive planning history, and notwithstanding both the length of time that has elapsed since the last permission and the TII's consideration in its report that such assessments should be undertaken prior to any decision to include this additional zoning in the LAP given its proximity to the National Road and National Road junction, it is considered that, on balance, the zoning and proposed policy and accompanying text as contained in this Proposed Material Alteration should be retained in the Final Plan subject to additional caveats being added to the policy and noted in the supporting text as drafted in the amended text contained in the recommendation below (original Proposed Material Alteration text shown in blue, proposed additional text shown in red)

7.21.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration subject to the insertion of additional text at the end of Policy BY-ED-7 (only the last sentence of the Policy is re-produced below for ease of reference):

Proposals shall also be required to demonstrate traffic management measures within the site and to the site from the surrounding roads infrastructure. . Where a Traffic and Transport Assessment is required, said assessment shall be submitted in accordance with Transport Infrastructure Ireland's Traffic and Transport Assessment Guidelines (2014), shall be required to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site, as well as the non-national road network.

7.22 Material Alteration Ref. BYMA22

7.22.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 6: Ballyshannon | | |
| BYMA22 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | <ol style="list-style-type: none"> Amend the zoning of lands from 'Local Environment' to <ol style="list-style-type: none"> part 'Primarily Residential and part 'Recreation and Amenity'; as identified on the map entitled 'Proposed Material Alteration BYMA22' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 6.6.4 (Housing Policies) | <ol style="list-style-type: none"> Insert new Policy BY-H-4: (new text shown in blue) Policy BY-H-4: "It is a policy of the Council that residential development on site PR11 shall be accessed only via a junction with the Bypass Link Road to the south-east of the site." |
| | Section 6.6.2 - Table 6.1 (Total lands Identified to meet Residential Housing Need in Ballyshannon) | <ol style="list-style-type: none"> Amend Table 6.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

7.22.2 Summary of Submissions

There were no public submissions received in respect of BYMA22. One prescribed body submission was received from TII and is summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | TII recommend that proposals to only access lands from the junction with the bypass road be removed in the interests of complying to the provisions of official policy, safeguarding the strategic function of the national road network and significant government investment in national roads in the area and in the interests of road safety. TII express serious concern with this proposed Material Alteration referring to Section 1.4 of the DoECLG Spatial Planning and National Roads Guidelines that advise any local |

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|--|--|--|
| | | transport function of national bypasses and relief roads in respect of urban areas they pass through is, and must continue to be secondary to the role of these roads in catering for strategic traffic. TII state that alternative access is available to the local road network. |
|--|--|--|

7.22.3 Chief Executive's Response

The concerns of the TII are noted. This case is different from the other cases that TII has addressed in that the proposal is to access directly onto the bypass junction. In this instance, the very strong recommendation that the proposal to access the site from the junction with the bypass cannot be disregarded. Furthermore, in previous discussions and reports on this site, it was recommended that access from the local road network to the north of the site would also not be suitable due to the narrow carriageway of much of that immediately local network. Due to these access concerns at either end of the site, the recommendation below is not to proceed with the Alteration but to retain the Local Environment zoning as per the Draft Plan.

7.22.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

7.23 Material Alteration Ref. BYMA23

7.23.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 6: Ballyshannon | | |
| BYMA23 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | <ol style="list-style-type: none"> 1. Amend the zoning of the lands from <ol style="list-style-type: none"> a) 'Strategic Residential Reserve' and b) 'Established Development' to 'Primarily Residential' as identified on the map entitled 'Proposed Material Alteration BYMA23' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 6.6.2 - Table 6.1 (Total lands Identified to meet Residential Housing Need in Ballyshannon) | <ol style="list-style-type: none"> 2. Amend Table 6.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

7.23.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA23.

7.23.3 Chief Executive's Response

Having regard to the absence of any submissions and to the sequential logic and serviceability of this site, see recommendation below.

7.23.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.24 Material Alteration Ref. BYMA24

7.24.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA24 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Local Environment' to 'Recreation and Amenity' and to show identification of an elevated viewing platform along the river to allow a photo opportunity area on the Wild Atlantic Way as identified on the map entitled 'Proposed Material Alteration BYMA24' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.24.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA24.

7.24.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale and straightforward nature of this particular Material Alteration, see recommendation below.

7.24.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.25 Material Alteration Ref. BYMA25

7.25.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 6: Ballyshannon | | |
| BYMA25 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Local Environment' to 'Town Centre' as identified on map entitled 'Proposed Material Alteration BYMA25' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.25.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BYMA25.

7.25.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

7.25.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

7.26 Material Alteration Ref. BYMA26

7.26.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 6: Ballyshannon | | |
| BYMA26 | Map No. 4 (Draft Land Use Zoning Map for Ballyshannon) | Amend the zoning of lands from 'Opportunity Site 2' to 'Town Centre' as identified on the map entitled 'Proposed Material Alteration BYMA26' in Appendix C of the Proposed Material Alterations Document (May 2018). |

7.26.2 Summary of Submissions

No public submissions were received in respect of BYMA26

| Ref | Name | Summary |
|-----|-------|--|
| PB7 | DHPLG | BYMA26: Requests that zoning of 'Town Centre' be removed and revert to the 'Opportunity Site 2' as proposed in the Draft Plan. States that the proposed MA zoning is non sequential, removed from the existing town centre zoning and does not accord with the requirements of the 'Retail Planning Guidelines' issued under S27 of the P&D Act. |

7.26.3 Chief Executive's Response

The comments of the DHPLG are noted and must be given due regard in the consideration of this matter. The Department specifically advises that the proposed town centre zoning should not be retained due to such zoning being non-sequential and removed from the existing town centre. On the other hand, it must be acknowledged that the traditional and tightly-formed street pattern in the centre of the town does not lend itself to readily identifiable sites for the retail expansion of the town. Notwithstanding, having regard to the comments of the Department, to the identifiable physical space between the identified town centre and the subject site, and to the policy framework for the subject site as already provided for in the Draft Plan (re-produced below for ease of reference) and that notes that the site '...has the potential for a mix of convenience and/or bulky retail, enterprise, business and commercial development.', it is considered on balance that the Plan should be made without the Proposed Material Alteration in accordance with the recommendation below.

Policy BY-ED-2 (Draft Plan - copied for ease of reference):

It is the policy of the Council to consider proposals for the development of a mix of convenience and/or bulky retail, enterprise, business and commercial development on Opportunity Site 2 (Former Site of Heitons, south of West Port), or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria including the requirements of the Habitats Directive and environmental considerations, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. Any development proposals shall make

appropriate provision of the delivery of indicative Strategic Roads. Residential and retail development shall not be permitted at this location.

nb. By way of further clarification, it should be noted that the last sentence of Policy BY-ED-2 as contained in the Draft Plan was included in error and, consistent with this clarification, it is not proposed to include this sentence in the Final Plan.

7.26.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

7.27 Material Alteration Ref. GENMA3(4)

7.27.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 6: Ballyshannon | | |
| GENMA3(4) | Section 6.7.1 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents mapping as set out at Appendix B of this document. |

7.27.2 Summary of Submissions

No public or prescribed body submissions were received in respect of GENMA3(4)

7.27.3 Chief Executive's Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 6.7.1 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan aforementioned thereby replacing the CFRAMs exercise previously referred to in the Plan. For these reasons, see recommendation below.

7.27.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8 PROPOSED MATERIAL ALTERATIONS BRIDGEND

8.1 Material Alteration Ref. BEMA1

8.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|--|
| Chapter 7: Bridgend | | |
| BEMA1 | Section 7.5.1 (Strategic Economic Development Opportunity Site) | <p>1. Amend Section 7.5.1 by inserting additional final paragraph as below: (new text shown in blue)</p> <p>'A part of the western area of the site has been identified as falling within Flood Zone B, whilst lands to the north of the site have also been identified as being within Flood Zone A. Development proposals for development that will encroach towards the identified flood zone areas of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment depending on the scale and position of the development. Such assessments shall be required to address, inter alia, proposals for the attenuation of rainwater and run-off during flood events.'</p> |
| | Section 7.5.3 (Economic Development Policies) | <p>2. Amend Policy BE-ED-1 as below: (new text shown in blue)</p> <p>Policy BE-ED-1: "It is a policy of the Council to facilitate economic development proposals of a strategic economic development nature inclusive of proposals related to information technology, international traded services, and high-end services manufacturing on land zoned Strategic Economic Development Opportunity Site 1 (SEDOS 1). Proposals shall only be considered in the context of an agreed Masterplan for the entirety of the Opportunity Site. The Masterplan, and any subsequent development, shall: (1.) dovetail with, and incorporate as necessary, the Derry-Buncrana Greenway Scheme; and (2.) provide for widening of the public roads to the west and south of the site along those site boundaries. Proposals for development that will encroach towards the identified flood zone areas of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment depending on the scale and position of the development. Such assessments shall be required to address, inter alia, proposals for the attenuation of rainwater and run-off during flood events."</p> |

8.1.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BEMA1

8.1.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

8.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.2 Material Alteration Ref. BEMA2

8.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|---|
| Chapter 7: Bridgend | | |
| BEMA2 | Section 7.6.1 (Opportunity Site 1) | <p>1. Amend para. 7.6.1 on Opportunity Site 1 by inserting additional final para. as below: (new text shown in blue)</p> <p>Opportunity Site 1</p> <p>“Development proposals that will encroach towards the identified flood zone areas of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment depending on the scale and position of the development. Having regard to the Flood Zone information, residential development will generally not be acceptable at this location.”</p> |
| | Section 7.6.3 (Opportunity Site Policies) | <p>2. Amend Policy BE-OPP-1 as below: (new text shown in blue)</p> <p>Policy BE-OPP-1: “It is a policy of the council to consider proposals both for town centre/retail uses and also for general commercial developments, including light industrial, warehouse, wholesale, or storage use, car servicing, on lands identified as Opportunity Site 1 (Opp 1) on the accompanying land use zoning map (Map 1 refers). Development proposals that will encroach towards the identified flood zone areas of the site (refer to flood mapping) may be required to submit a site specific flood risk assessment depending on the scale and position of the development. Having regard to the Flood Zone information, residential development will not generally be acceptable at this location.”</p> |

8.2.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BEMA2

8.2.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

8.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.3 Material Alteration Ref. BEMA3

8.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|---|
| Chapter 7: Bridgend | | |
| BEMA3 | Map No. 1 (Draft Land Use Zoning Map for Bridgend) | 1. Amend the zoning of a part of the northern area of the site from 'Opportunity Site 2' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration BEMA3' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 7.6.1 (Opportunity Sites) | 2. Amend para. 7.6.1 on Opportunity Site 2 by inserting additional final para. as below: (new text shown in blue) Opportunity Site 2 "An area to the north of the site that would otherwise appear to logically fall within the boundaries of the site is omitted and newly identified as 'Recreation and Amenity' as this site has been identified as falling within Flood Zone A and subject to localised flooding concerns (refer to flood mapping). Another section of the southern part of the site and running parallel with the local road is identified as falling within Flood Zone B (refer to flood mapping). Residential development will not be permitted on this part of the site. Proposals for other forms of development that will encroach towards this area of the site may be required to submit a site specific flood risk assessment depending on the scale and position of the development." |

8.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BEMA3.

8.3.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

8.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.4 Material Alteration Ref. BEMA4

8.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|--|
| Chapter 7: Bridgend | | |
| BEMA4 | Section 7.6.1 (Opportunity Sites) | <p>1. Amend para. 7.6.1 on Opportunity Site 3 as below: (text to be deleted shown in strikethrough, new text shown in blue)</p> <p>Opportunity Site 3</p> <p>Residential, or Light industrial/commercial; or tourism-related; or development providing for a combination of some, or all, of the aforementioned uses may be considered. This Opportunity Site is situated between the main built-up area of Bridgend to the west (with residential development to the north and to the south- west, whilst to the west is located the central open space area proposed in this LAP), and the Strategic Economic Development Opportunity to the east. The site is currently bisected by the narrow L-8041-1 County Road. The site could be developed in one of two ways: (1.) two separate developments either side of the public road, in which case widening of the existing road, together with the provision of a footpath, public lighting and drainage improvements shall be required; or (2.) one consolidated development facilitated by the re-location of the public road to the eastern side of the site and its dedication to Donegal County Council in accordance with the required statutory procedures. The new road line would again be constructed by the developer together with required junction work, associated footpaths, public lighting and drainage.</p> <p>The site is somewhat removed from the public sewer network but developers will be required to identify a suitable route to connect to this network Finally, it is reasonable to expect that any permitted layout will be required to provide for suitable pedestrian connectivity through to, and from, the proposed public open space area to the west."</p> |
| | Section 7.6.3 (Opportunity Site Policies) | <p>2. Amend Policy BE-OPP-3 as below: (text to be deleted shown in strikethrough, new text shown in blue)</p> <p>Policy BE-OPP-3: "It is a Policy of the Planning Authority to consider proposals for the development of residential, light Industrial/commercial, or tourism-related uses; or for development providing for a combination of some, or all, of the aforementioned uses on lands identified as Opportunity</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|---|
| | | <p>Site (Opp 3) subject to compliance with the undernoted criteria, subject to all other relevant policies of the LAP and compliance with the proper planning and sustainable development of the area. Two development model options shall be considered:</p> <ul style="list-style-type: none"> a) Two separate developments either side of the public road, in which case the following shall be required: <ul style="list-style-type: none"> (i) widening of the existing L-8041-1 road along its entire length, together with the provision of a footpath, public lighting and drainage improvements as necessary; (ii) the widening of the L-7931-3 road along the southern frontages of the sites, together with the provision of a footpath, public lighting and drainage improvements as necessary; and (iii) improvements to the junction of the L-8041-1 and L-7913-3 roads; or b) One consolidated development facilitated by the relocation of the public road to the eastern side of the site and constructed to the appropriate standards and its dedication to Donegal County Council in accordance with the required statutory procedures. The new road line would again be constructed by the developer together with required junction work, associated footpaths, public lighting and drainage. The following will apply: <ul style="list-style-type: none"> (i) Proposals for retail development will not be favourably considered unless it can be demonstrated that the proposal would comply with the sequential approach to retail development as set out in the County Retail Strategy. Proposals for petrol filling stations/fuel storage depots and amusement arcades/indoor amusement areas or other large scale single use developments shall not be permitted in accordance with the terms of Policy BE-TC-1. (ii) Connection to the town sewer following commissioning of the upgraded public treatment works. (iii) Creation of a pedestrian link to and from the proposed amenity/open space area to the west. <p>Development proposals may be required to submit a site specific flood risk assessment to include modelling of the on-site watercourse depending on the scale and position of the development."</p> |

8.4.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BEMA4.

8.4.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

8.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.5 Material Alteration Ref. BEMA5

8.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|---|
| Chapter 7: Bridgend | | |
| BEMA5 | Section 7.10.1 (Derry-Buncrana Greenway) | <p>Delete Section 7.10.1 and replace with the new text below: (new text shown in blue)</p> <p>"As part of the North-West Greenways Network project, funding was recently allocated under the INTERREG VA programme 2014-2020 for the construction of a Greenway between Derry and Buncrana via Bridgend. A key aim of this project is to deliver high quality, safe Greenway networks, enhancing linkages between communities and promoting sustainable transport opportunities.</p> <p>A Study Area (see Figure 7.5) has been identified for development of Route Options and a Constraints Study and Route Selection process is expected to be carried out in advance of applications for Planning approval with construction also programmed to happen within the life of this Local Area Plan. Public Consultations on the Route Selection process are expected to be carried out in 2018 and the preferred route identified under this process shall be considered in and masterplans or development proposals.</p> <p>This project has the potential to provide both a sustainable transport alternative and enhance recreational opportunities for the residents of the village and visitors alike.</p> <p>During the detailed design phase of this project, there may be opportunities for pedestrian issues as discussed above for the northern side of the National Road to be considered with a view to incorporating such solutions into the design as and where possible and appropriate."</p> |

8.5.2 Summary of Submissions

No public submissions were received in respect of BEMA5. One prescribed body was received from TII as summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | TII recommend that the proposed greenway be developed complimentary to safeguarding the strategic function of the NP and be subject to consultation and agreement with the TII where there is interaction with the N13. Concerning the N13 outside the urban area where a 100kph speed |

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| | | limit applies, TII has identified significant road safety interactions that need to be resolved when introducing vulnerable road users at this location, recommending that road safety issues be addressed to ensure safety of all road users and ensure the strategic traffic function of the NP network. |
|--|--|--|

8.5.3 Chief Executive's Response

In response to the submission from TII, detailed consideration of how the greenway will interact safely with the National Road will be a fundamental consideration during the detailed design and implementation stages of the project. TII will be consulted at all stages of the project.

Material Alterations BEMA5, BEMA6 and BEMA7 all relate to the Greenway through Bridgend as part of the 'Derry-Buncrana' Greenway project. The previous Chief Executive's Report identified that significant design and consultation work has already been undertaken. It is therefore considered reasonable and appropriate to proceed with the proposed Material Alteration.

8.5.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.6 Material Alteration Ref. BEMA6

8.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|--|
| Chapter 7: Bridgend | | |
| BEMA6 | Map No. 1 (Draft Land Use Zoning Map for Bridgend) | Delete Greenway route as identified on map entitled 'Proposed Material Alteration BEMA6' in Appendix C of the Proposed Material Alterations Document (May 2018). |

8.6.2 Summary of Submissions

No public submissions or prescribed bodies submissions were received in respect of BEMA6

8.6.3 Chief Executive's Response

This Proposed Alteration was recommended by the Council's Greenways Officer on the basis that the identification of a specific route was premature pending the completion of the Route Options and Constraints Study and Route Selection process. To clarify, the Council remains fully committed to this project. Having regard to the aforementioned, to the absence of any submissions relating specifically to the Proposal, and to the relatively straightforward nature of the Proposal, refer to recommendation below.

8.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.7 Material Alteration Ref. BEMA7

8.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|--|
| Chapter 7: Bridgend | | |
| BEMA7 | Section 7.5.1 (Strategic Economic Development Opportunity Site) | <p>1. Add new para. at end of Section 7.5.1 (new text shown in blue)</p> <p>“The ambition of providing a greenway between Derry and Buncrana, and passing through Bridgend, is addressed in Section 7.10.1 below. It is likely that the selected route will proceed along the National Primary Road Corridor, or parallel with it, for the entire length of the identified Strategic Economic Development Opportunity Site (SEDOS1). Notwithstanding, there is also an associated ambition in the longer-term to provide another section of greenway within the northern fringes of the SEDOS1 site.”</p> |
| | Section 7.5.2 (Economic Development Objectives) | <p>2. Amend Objective BE-ED-1 as follows: (new text shown in blue)</p> <p>Objective BE-ED-1: “It is an objective of the Council to develop the lands zoned Strategic Economic Development Opportunity Site 1 (SEDOS 1) for strategic economic development inclusive of identifying an agreed access solution to said lands onto the N13 in consultation with Transport Infrastructure Ireland and the Council's strategic partners in Northern Ireland. The Council also notes the scope and potential mutual benefits of managing the development of the Bridgend SEDOS 1 site as part of a joint approach with DC&SDC that would also take in the economic development lands on the DC&SDC side, and that would allow for the construction of the Derry-Buncrana Greenway.”</p> |
| | Section 7.5.3 (Economic Development Policies) | <p>3. Amend Policy BE-ED-1 as follows (new test shown in blue).</p> <p>Policy BE-ED-1: “It is a policy of the Council to facilitate economic development proposals of a strategic economic development nature inclusive of proposals related to information technology, international traded services, and high-end services manufacturing on land zoned Strategic Economic Development Opportunity Site 1 (SEDOS 1). Proposals shall only be considered in the context of an agreed Masterplan for the entirety of the Opportunity Site. The Masterplan, and any subsequent development, shall: (1.) dovetail with, and incorporate as necessary, the Derry-Buncrana Greenway Scheme inclusive of potential routes along the northern and southern edges of the site; and (2.)</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | provide for widening of the public roads to the west and south of the site along those site boundaries." |

8.7.2 Summary of Submissions

There were no public submissions made in respect of BEMA7. One prescribed by submission was received from the TII and is summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | Submission states that observations provided in TII sub of 17/01/18 remain the position of the Authority. (nb. to clarify, this comment refers to TII's general concerns around how the Bridgend Strategic Economic Development Opportunity Site will be accessed, given the National Primary Road maximum speed limit area adjacent; thus this comment does not relate specifically to this Alteration and the greenway-related amendments to the SEDOS site policy. |

8.7.3 Chief Executive's Response

Material Alterations BEMA5, BEMA6 and BEMA7 all relate to the greenway through Bridgend as part of the 'Derry-Buncrana' Greenway project. The previous Chief Executive's Report identified that significant design and consultation work has already been undertaken. It is therefore considered reasonable and appropriate to proceed with the proposed Material Alteration from this perspective.

With regard to TII concerns, this matter is being addressed by way of a Council submission to TII setting out the case for an exception to the general policy presumption against new accesses onto National Roads where the maximum speed limit applies in accordance with the provisions of 'Spatial Planning and National Roads: Guidelines for Planning Authorities, January, 2012' [Section 2.6(1) 'Exceptional Circumstances/Developments of National and Regional Strategic Importance'], and the criteria specified therein

8.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.8 Material Alteration Ref. BEMA8

8.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|---|
| Chapter 7: Bridgend | | |
| BEMA8 | Map No. 1 (Draft Land Use Zoning Map for Bridgend) | 1. Amend the zoning of lands from 'Established Development' to 'Opportunity Site' as identified on map entitled 'Proposed Material Alteration BSMA8' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 7.6.1 (Opportunity Sites) | 2. Insert additional para. at Section 7.6.1. (new text shown in blue) Opportunity Site 5 "Residential. Whilst this site is located on the edge of the village, this site is considered to constitute a modest opportunity for a small residential development having regard to the history of planning permission on the site and the fact that the site does fall within the long-established town boundary." |
| | Section 7.6.3 (Opportunity Site Policies) | 3. Insert additional Policy: " Policy BE-OPP-5: It is a Policy of the Planning Authority to consider proposals for residential development subject to compliance with the undernoted criteria, subject to all other relevant policies of the LAP and compliance with the proper planning and sustainable development of the area. a) Provision of a 2m-wide footpath and public lighting along the entire site frontage to connect into the existing footpath to the north of the site. Connection to the public sewer following commissioning of the upgraded public treatment works." |

8.8.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BEMA8.

8.8.3 Chief Executive's Response

Having regard to the absence of any submissions, to the site already falling within both the settlement boundary and the extents of the planning permission on foot of which the adjacent Aileach Valley estate was developed, and having regard also to the relatively small-scale nature of this particular Material Alteration, it is considered that the Proposal should be retained on balance whilst recognising that the effluent treatment issues pertaining at this part of the village would have to be resolved prior to any planning permission being considered.

8.8.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

8.9 Material Alteration Ref. BEMA9

8.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|--|--|
| Chapter 7: Bridgend | | |
| BEMA9 | Map No. 1 (Draft Land Use Zoning Map for Bridgend) | Extend the Local Area Plan boundary and zone the intervening lands as ‘Primarily Residential’ as identified on map entitled ‘Proposed Material Alteration BEMA9’ in Appendix C of this report. |

8.9.2 Summary of Submissions

No public or prescribed body submissions were received in respect of BEMA9.

8.9.3 Chief Executive’s Response

BEMA9 relates to lands to the east of the existing overall Aileach Valley housing development inclusive of the undeveloped remainder of the site as granted under the relevant planning permission and as addressed under BEMA8 immediately above. The area of BEMA9 was identified as being outside the settlement envelope of Bridgend in the Draft LAP published November 2017. On foot of a submission to the Draft LAP which sought the rezoning of the lands to an ‘Opportunity Site’ with residential development potential, the CE Report at that time recommended that residential development at this location would not be appropriate for reason of (i) the amount of land already provided for within the settlement envelope and; (ii) ongoing issues in relation to existing waste water services.

Notwithstanding the publication of Proposed Material Alteration BEMA9, contrary to the recommendation of the previous CE Report, it remains the case that (i) there are sufficient other lands within the settlement envelope outlined at Draft Plan stage that can cater for housing need in Bridgend (ii) the zoning of the lands in question for residential development, if developed, would result in an excessive and imbalanced number of housing units disproportionate to the current low and projected demands for such housing in the village. Furthermore, and as noted in the previous Chief Executive’s Report, the overall housing numbers that would be developed in this part of the village should also be considered. With the 25 existing houses in the Aileach Valley estate, and capacity in the remainder of the site already included within the Plan boundary for a further 25 units or thereby (addressed at BEMA8 above), development of the subject site would see the potential overall housing numbers in this part of the village increase to around 90 to 100 units at an unfavourable location relative to the village centre and where effluent treatment issues persist, and served off a minor County Road (notwithstanding that the road could be widened as part of any planning permission). Finally, the proposed Material Alteration would not be consistent with the Core Strategy of the County Donegal Development Plan (CDP) 2018-2024 which identifies Bridgend as a Layer 2B Strategic Town in recognition of its special economic function and thereafter anticipates only a limited level of housing

development in recognition of the infrastructural constraints that generally exist in layer 2B towns and that will require innovative approaches to resolution.

8.9.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

8.10 Material Alteration Ref. GENMA3(5)

8.10.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|----------------------------|---|--|
| Chapter 7: Bridgend | | |
| GENMA3(5) | Section 7.8.1 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents mapping as set out at Appendix B of this document. |

8.10.2 Summary of Submissions

No public or prescribed body submissions were received in respect of GENMA3(5).

8.10.3 Chief Executive’s Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 7.8.1 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan aforementioned thereby replacing the CFRAMs exercise previously referred to in the Plan. For these reasons, see recommendation below.

8.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

9 PROPOSED MATERIAL ALTERATIONS CARNDONAGH

9.1 Material Alteration Ref. CNMA1

9.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA1 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | 1. Amend the zoning of the lands from 'Primarily Residential' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration CNMA1' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | | 2. Incorporate the proposed reduction in land supply into the figures contained at proposed Material Alteration Ref. CNMA5'. |

9.1.2 Summary of Submissions

There were no prescribed body submissions received in respect of CNMA1

| Ref | Name | Summary |
|-----|--|---|
| CN1 | Harley Planning Consultants GDC Ireland Ltd) | The submission questions the extent of the flood risk area that has been identified in the Strategic Flood Risk Assessment (SFRA). The submission contends that flood risk modelling is not an exact science and throws up unusual and unreasonable results. The submission notes that, during the assessment of a previous application on this site (planning ref. 07/71405), the applicant commissioned a site specific flood risk assessment, which provided a more accurate reflection of the likely extent of flooding on the subject lands. It is also contended that the lands in question did not flood during the recent flood events in Inishowen in August 2017, thereby confirming the accuracy of the aforementioned site specific flood risk assessment. It is suggested that the evidence of an actual flood event demonstrates the potential flood impact more accurately than a modelling exercise and it is suggested that on the basis of Tobin Consulting Engineers flood risk assessment, 25-30% of the houses in the adjoining Council housing scheme (Cill Bhríde) would have been flooded last August; however, the submission suggests that no such flooding occurred. The submission suggests that it would perhaps have been more appropriate to identify lands at risk of flooding as 'potential flood risk' as opposed to 'recreation and amenity' and in any event, requests that the material alteration proposed under CNMA1 be omitted and that the area zoned as 'recreation and amenity' be reduced to a four metre strip following the banks of the Donagh River. |

9.1.3 Chief Executive's Response

The Strategic Flood Risk Assessment (SFRA) prepared by Tobin Consulting Engineers to inform the LAP identified the western side of site PR4 as being potentially at risk of fluvial flooding (Flood Zone A and Flood Zone B). Notwithstanding any previous grants of planning permission on the subject lands (which in any event have now expired), the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities (2009) is clear in advising that 'highly vulnerable' development (including residential development) should only be considered within Flood Zones A and B where a Justification Test has been passed. Such justification tests require, inter alia, that the subject lands:

- (i.) are essential to facilitate regeneration and/or expansion of the centre of the urban settlement
- (ii.) comprise significant previously developed and/or under-utilised lands
- (iii.) are within or adjoining the core of an established or designated urban settlement
- (iv.) will be essential in achieving compact and sustainable urban growth and
- (v.) are being suggested for development due to the absence of any suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement.

It is considered that the zoning of the flood risk lands (as identified in the SFRA report) for residential development would not satisfy any of the provisions of the plan-making justification test as outlined above and it therefore follows that the rezoning of the flood risk lands to 'Primarily Residential' would not be appropriate. Comments in relation to the site specific flood risk assessment commissioned by the landowners in 2007 are noted. However, the SFRA report is based on up-to-date modelling information provided by the CFRAM study which in turn has been updated by Tobin Consulting Engineers to take account of potential increases in flow due to climate change and having regard to downstream observations. This information has been accepted by the Planning Authority as the best available evidence in relation to potential flood risk at this location and is thus deemed to be the most appropriate source of information on which to base zoning decisions.

9.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

9.2 Material Alteration Ref. CNMA2

9.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA2 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | Amend the zoning of the lands from 'Opportunity Site 6' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration CNMA2' in Appendix C of the Proposed Material Alterations Document (May 2018). |

9.2.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA2.

9.2.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

9.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

9.3 Material Alteration Ref. CNMA3

9.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA3 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | Amend the zoning of the lands from 'Opportunity Site 7' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration CNMA3' in Appendix C of the Proposed Material Alterations Document (May 2018). |

9.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA3.

9.3.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

9.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

9.4 Material Alteration Ref. CNMA4

9.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA4 | Section 8.7.4 (Housing Policies) | <p>Insert a new Policy CN-H-1 into section 8.7.4 that reads as follows:</p> <p>(new text shown in blue)</p> <p>Policy CN-H-1: "It is a policy of the Council to require that all proposals for development on 'Primarily Residential' Site PR8 or on the adjoining 'Strategic Residential Reserve' (SRR) lands be accompanied by a site specific flood risk assessment, prepared in accordance with the 'Planning System and Flood Risk Management Guidelines for Planning Authorities' (2009) or any subsequent iteration of said guidelines."</p> |

9.4.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA4.

9.4.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

9.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

9.5 Material Alteration Ref. CNMA5

9.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA5 | Section 8.7.2 - Table 8.1 (Total lands Identified to meet Residential Housing Need in Carndonagh) and Section 8.7.4 (Housing Policies) | Amend text at Section 8.7.2, the contents of associated Table 8.1 and section 8.7.4 so that they read as set out in the text contained in Appendix A of this document. |

9.5.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA5.

9.5.3 Chief Executive's Response

The referenced section of the Plan contains a factual recording of the no. of housing units that, it is calculated, can be supplied from the zoned sites in the Plan. This Proposed Material Alteration is required as the precise figure to be inserted here can only be calculated, and inserted into the document, after Members have made their final zoning decisions at the Council meeting on 23rd July, 2018.

9.5.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

9.6 Material Alteration Ref. CNMA6

9.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|---|
| Chapter 8: Carndonagh | | |
| CNMA6 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | Extend the Local Area Plan boundary and zone the intervening lands as a) 'Local Environment' and b)'Established Development' as identified on the map entitled 'Proposed Material Alteration CNMA6' in Appendix C of the Proposed Material Alterations Document (May 2018). |

9.6.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA6.

9.6.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

9.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration

9.7 Material Alteration Ref. CNMA7

9.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA7 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | <p>1. Extend the Local Area Plan boundary and zone:</p> <ul style="list-style-type: none"> a. Three sub-areas as 'Opportunity Site 8A, B and C'; b. One sub-area as 'Local Environment'; and c. Remaining already developed sub-areas as 'Established Development'. <p>as identified on the map entitled 'Proposed Material Alteration CNMA7' in Appendix C of the Proposed Material Alterations Document (May 2018).</p> |
| | Section 8.6: Opportunity Sites | <p>2. Insert new text at the end of Section 8.6.1: Opportunity Sites:</p> <p>(new text shown in blue)</p> <p>Opportunity Site 8 (Map 5 refers) - Adjacent to Carndonagh Inner Relief Road:</p> <p>This site contains three small pockets of land on the eastern side of the town and located adjacent to the Carndonagh Inner Relief Road and a mixture of established economic and residential properties. It is considered that these areas have potential for small-scale, light economic uses</p> |
| | Section 8.6.4 (Policies Relating to Development on Identified Opportunity Sites) | <p>3. Insert new Policy CN-OPP-8 at the end of Section 8.6.4: Policies relating to Development On Identified Opportunity Sites:</p> <p>(new text shown in blue)</p> <p>Policy CN-OPP-8: "It is a policy of the Council to consider proposals for small-scale, light industrial/business uses as per Classes 3, 4 or 5 of the Planning and Development Regulations subject to the following:</p> <ul style="list-style-type: none"> a) in relation to site OPP8(A), the provision of a 10m buffer between the rear boundaries of the residential properties to the west and any development; b) in relation to site OPP8(B), access shall be taken off the stopped-up road to the east only." |

9.7.2 Summary of Submissions

No public or prescribed body submissions were received.

9.7.3 Chief Executive's Response

At the time of consideration of the previous Chief Executives Report, members were advised of some traffic safety concerns in relation to sub-area 8(A) due to the restricted vision lines and stopping sight distances available for that site due to the horizontal alignment of the road along the frontage of that site. Further assessment of this site has confirmed earlier concerns and, for these reasons, the recommendation below includes the omission of this site from the proposed zoning.

9.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration, subject to the omission of sub-area 8(A) and to the consequential amendment to the settlement boundary.

9.8 Material Alteration Ref. CNMA8

9.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA8 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | 1. Amend the zoning of lands from 'Strategic Residential Reserve' to 'Primarily Residential' as identified on map entitled 'Proposed Material CNMA8' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | | 2. Incorporate the proposed increase in land supply into the figures contained at proposed Material Alteration Ref. CNMA5. |

9.8.2 Summary of Submissions

There were no prescribed body submissions received in respect of CNMA8. One public submission was received as summarised below.

| Ref | Name | Summary |
|-----|---------------------------|--|
| CN2 | Derek & Roisin McLaughlin | The submission refers to two separate sites, one identified by folio number 49024F and the other identified by planning reference number 08/70403. Only one of these sites relates to lands subject of the proposed Material Alteration and the response hereunder therefore deals solely with that site, i.e. the site subject of planning ref. 08/70403. The submission notes the previous grant of planning permission on those lands and requests that the Local Area Plan boundary be extended to allow for the lands to be considered for development and future provision of services for Carndonagh. |

9.8.3 Chief Executive's Response

The contents of this submission are noted. The writer specifically requests that the Local Area Plan boundary be extended in order to allow for the lands to be considered for development and future provision of services; however, an extension to the boundary is not necessary as the subject lands are already contained within the proposed LAP boundary. It is assumed therefore, that the writer seeks to have the lands zoned as Primarily Residential, as per the proposed Material Alteration. In this respect, it is considered that the sites already identified in the Draft LAP (both Primarily Residential sites and

Opportunity Sites that allow for residential development) adequately satisfy the Core Strategy requirement for housing lands in Carndonagh. When identifying sites for residential development in Carndonagh, the Planning Authority has sought to provide for a reasonable distribution around the town and in the north-western area of the settlement, where the lands subject of the submission are located, there are several residential opportunities already included within the Plan that are more favourably located from a sequential development perspective (e.g. OPP5, PR1, PR2, OPP3). The existence of the Cherry Avenue and Cedar Grove developments in the subject area is acknowledged – however, these particular developments were granted under very different circumstances in 2002. The lands subject of this submission may indeed be suitable for development at some point in the future (hence the initially proposed 'Strategic Residential Reserve' designation) but at the present time it is considered that the most appropriate position from a planning perspective is to seek to develop the town in a sequential manner from the centre out, using the sites already identified in the Plan.

9.8.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

9.9 Material Alteration Ref. CNMA9

9.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 8: Carndonagh | | |
| CNMA9 | Map No. 5 (Draft Land Use Zoning Map for Carndonagh) | 1. Amend the zoning of lands from 'Local Environment' to 'Primarily Residential' as identified on Map entitled 'Proposed Material Alteration CNMA9' in Appendix C of the Proposed Material Alterations Document (May 2018) |
| | | 2. Incorporate the proposed increase in land supply into the figures contained at proposed Material Alteration Ref. CNMA5. |

9.9.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA9.

9.9.3 Chief Executive's Response

The lands the subject of CNMA9 are located in the townland of Ballyloskey and were zoned in the Draft LAP as 'Local Environment.' On foot of a submission to the Draft LAP which sought the rezoning of the lands to 'Primarily Residential', the CE Report at that time recommended that residential development at this location would not be appropriate and outlined the approach taken to the identification of housing lands at other more optimum locations to meet the required core strategy growth at locations that would result in the more sequential growth of the town.

Notwithstanding the publication of proposed Material Alteration CNMA9, contrary to the recommendation of the previous CE Report, it remains that the lands do not provide the optimum location for residential development having regard to (i) the identification of an adequate quantum of other more appropriately located lands to meet the requirements of the Core Strategy (ii) the nature of the lands as being located on the southern extremity of the town (iii) the extent of undeveloped lands intervening the location of CNMA9 and the existing fabric of the town to the north and (iv) the deficiencies in existing infrastructure to cater for multiple development at this location with particular reference to the condition of the existing waste water network and the associated need for upgrade to cater for significant development.

9.9.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

9.10 Material Alteration Ref. GENMA3(6)

9.10.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|--|
| Chapter 8: Carndonagh | | |
| GENMA3(6) | Section 8.8.2 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents mapping as set out at Appendix B of this document. |

9.10.2 Summary of Submissions

No public or prescribed body submissions were received in respect of CNMA9.

9.10.3 Chief Executive's Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 8.8.2 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan aforementioned thereby replacing the CFRAMs exercise previously referred to in the Plan. For these reasons, see recommendation below.

9.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10 PROPOSED MATERIAL ALTERATIONS DONEGAL TOWN

10.1 Material Alteration Ref. DTMA1

10.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA1 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of lands from 'Local Environment/Visually Vulnerable' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA1 and DTMA2' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.1.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA1.

10.1.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

10.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.2 Material Alteration Ref. DTMA2

10.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA2 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Local Environment to 'Recreation and Amenity' as identified as identified on the map entitled 'Proposed Material Alteration DTMA1 and DTMA2' DTMA2' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.2.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA2.

10.2.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

10.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.3 Material Alteration Ref. DTMA3

10.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 9: Donegal Town | | |
| DTMA3 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) And | 1. Amend the zoning of lands from 'Opportunity Site 3' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA3' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | 2. Clarify the discursive text at section 9.5.2, 'Opportunity Site 3: Drumlonagher' so that it reads as follows: (new text in blue, text for deletion in strikethrough) Opportunity Site 3: Drumlonagher "This area comprises 6 5-hectares and is located adjoining the R267 while the N56 bypass route adjoins the northern boundary of the site. The lands are located on the eastern edge of the plan boundary and represent a high profile and key gateway site to the town, whether observed on entrance into the town or by onward journeys to Killybegs, Ballyshannon or Sligo which also dual as the route of the Wild Atlantic Way. Potential uses include enterprise, business, research and innovation, commercial uses and education, civic and/or health provision. The existing Donegal County Council Public Service Centre is located to the east of the site accessed via one key service route which will also provide access for future potential development of the Opportunity Site. The Public Service Centre already provides a landmark building of notable scale and its design and architectural form are of high quality setting a benchmark for the overall development the Opportunity Site. Significant issues are evident in relation to flood risk downstream of the Opportunity site which will necessitate the carrying out a site specific Flood Risk Assessment as part of any proposed development. In addition, as well as the need for junction improvement at the R267 will be required in order to accommodate the associated and cumulative volumes of traffic. Policy DT-ED-3 refers." |

10.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA3.

10.3.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.4 Material Alteration Ref. DTMA4

10.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 9: Donegal Town | | |
| DTMA4 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Primarily Residential PR4' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA4, DTMA5, DTMA6 and DTMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.6.2 - Table 9.1 (Total lands Identified to meet Residential Housing Need in Donegal Town) | 2. Amend Table 9.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

10.4.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA4.

10.4.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.5 Material Alteration Ref. DTMA5

10.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 9: Donegal Town | | |
| DTMA5 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Primarily Residential PR5' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA4, DTMA5, DTMA6 and DTMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.6.2 - Table 9.1 (Total lands Identified to meet Residential Housing Need in Donegal Town) | 2. Amend Table 9.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

10.5.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA5.

10.5.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.5.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.6 Material Alteration Ref. DTMA6

10.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 9: Donegal Town | | |
| DTMA6 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Primarily Residential PR6' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA4, DTMA5, DTMA6 and DTMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.6.2 - Table 9.1 (Total lands Identified to meet Residential Housing Need in Donegal Town) | 2. Amend Table 9.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

10.6.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA6.

10.6.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.7 Material Alteration Ref. DTMA7

10.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA7 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Strategic Residential Reserve' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA4, DTMA5, DTMA6 and DTMA7' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.7.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA7.

10.7.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.8 Material Alteration Ref. DTMA8

10.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA8 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of lands from 'Economic Development' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA8' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.8.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA8.

10.8.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.8.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.9 Material Alteration Ref. DTMA9

10.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 9: Donegal Town | | |
| DTMA9 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Local Environment' to 'Primarily Residential' and label the area as 'PR7' as identified on the map entitled 'Proposed Material Alteration DTMA9' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.6.2 - Table 9.1 (Total lands Identified to meet Residential Housing Need in Donegal Town) | 2. Amend Table 9.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

10.9.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA9.

10.9.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the relatively small scale of the subject site, to the planning history of the site, to the serviceability of the site and surrounding multiple development, see recommendation below.

10.9.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.10 Material Alteration Ref. DTMA10

10.10.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA10 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Local Environment' to 'Economic Development' as identified on the map entitled Proposed Material Alteration DTMA10 and DTMA11' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.10.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA10.

10.10.3 Chief Executive's Response

Having regard to the absence of any submissions and to the justification for identification of the lands as 'Economic Development' as set out in the previous Chief Executive's Report entitled, 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018', it is considered reasonable and appropriate to proceed with the proposed Material Alteration. Note the previous CE report outlined that the identification of the lands as 'Economic Development' is justified on grounds that it can integrate effectively with the surrounding established land uses, will grow the town sequentially and will maximise the use of existing infrastructural services.

10.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.11 Material Alteration Ref. DTMA11

10.11.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA11 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Local Environment' to 'Primarily Residential' and to label the 'Primarily Residential' area as 'PR8' identified on the map entitled 'Proposed Material Alteration DTMA10 and DTMA11' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.11.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA11.

10.11.3 Chief Executive's Response

Having regard to the absence of any submissions and to the justification for identification of the lands as 'Primarily Residential' as set out in the previous Chief Executive's Report entitled, 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018', it is considered reasonable and appropriate to proceed with the proposed Material Alteration. Note the previous CE report outlined that the identification of the lands as 'Primarily Residential' is justified on grounds that it can integrate effectively with the surrounding established land uses, will grow the town sequentially and will maximise the use of existing infrastructural services.

10.11.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.12 Material Alteration Ref. DTMA12

10.12.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA12 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend to identify an 'Indicative Walkway/ Cycleway' along the Lough Eske Road (L-1915-2) as far as the plan boundary in the townland of Drumrooske West as identified on the map entitled 'Proposed Material Alteration DTMA12' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.12.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA12.

10.12.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

10.12.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.13 Material Alteration Ref. DTMA13

10.13.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 9: Donegal Town | | |
| DTMA13 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | <p>1. Amend the zoning of the lands from 'Local Environment' to 'Opportunity Site 8' as identified on the map entitled 'Proposed Material Alteration DTMA13' in Appendix C of the Proposed Material Alterations Document (May 2018).</p> <p>and to insert the necessary associated text as follows:</p> |
| | Section 9.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | <p>2. Insert additional text in Chapter 9 at the end of section 9.5.2, page 124 to state as follows (new text in blue):</p> <p>Opportunity Site 8: The Mullans (adjacent to The Millpark Hotel)</p> <p>"This area comprises 3.4 hectares of land and is located to the immediate north of the existing Mill Park Hotel. The land is bounded to the east by the national road and to its southern boundary by the old railway line. It exclusively represents a potential opportunity for the future expansion of the existing hotel in order to provide opportunity to increase tourist accommodation capacity and/or facilities in line with expected increases in visitor numbers to the area. Access to the site would not be permitted via the national road network. In lieu, any proposal would be required to show adequate access through the existing access arrangements serving the Mill Park Hotel. Suitable set back from the national road to the east would also be required. The route of the old railway line intervenes the northern boundary of the existing hotel and southern boundary of the site. The land use zoning map identifies an objective to protect the route of the old railway line for the purposes of an indicative walkway/greenway. Any proposal for development of Opportunity Site 8 would be required to demonstrate integration and delivery of a walkway/greenway along the old railway line for the length of the southern boundary of the site and future- proof it to ensure a viable connection to the remainder of the old railway line to the west. Policy DT-ED-4 refers."</p> |
| | Section 9.5.4 (Economic Development Policies) | <p>3. Insert an additional policy in chapter 9, at the end of section 9.5.4, page 125 to state as follows (new text in blue):</p> <p>Policy DT-ED-4: "It is a policy of the Council to consider proposals on lands identified as 'Opportunity Site 8' for the expansion of the existing adjoining hotel in order to provide opportunity to increase tourist accommodation capacity and/or facilities in line with expected increases in visitor numbers to the area. Other uses outside of those related to the expansion</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|---|
| | | <p>of the existing hotel campus shall not be permitted. Access to the site shall not be permitted via the national road network. Any proposal for the development of lands shall be required to demonstrate (i) adequate access through the existing access arrangements serving the Mill Park Hotel; (ii) necessary set back from the national road to the east; (iii) the integration and delivery of a walkway/greenway along the old railway line for the length of the southern boundary of the site and to future- proof it to ensure a viable connection to the remainder of the old railway line to the west. Any proposals shall also be required to demonstrate compliance with the Habitats Directive and compliance with all other relevant policies of this plan."</p> |

10.13.2 Summary of Submissions

No public submissions were received in respect of DTMA13. One prescribed body submission was received from TII as summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | Submission states that conditions on access outlined in DT-ED-4 are acknowledged, and recommend these conditions are adhered to in subsequent planning applications in interests of safeguarding the strategic function of the adjoining NP network. |

10.13.3 Chief Executive's Response

The comments of TII are noted.

Having regard to the justification for the Proposed Material Alteration set out in the previous Chief Executive's report entitled 'Chief Executives Report on Submissions received to Draft LAP 2018-2024' the proposal would allow for the appropriate expansion of the existing hotel in order to support the strengthening of the tourist sector in the town and the proposed Material Alteration is considered appropriate.

10.13.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.14 Material Alteration Ref. DTMA14

10.14.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA14 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Local Environment' to 'Strategic Residential Reserve' as identified on the map entitled 'Proposed Material Alteration DTMA14' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.14.2 Summary of Submissions

No submissions were received from the public in respect of DTMA14. One prescribed body submission was received from the Department of Housing, Planning and Local Government as summarised below.

| Ref | Name | Summary |
|-----|-------|---|
| PB7 | DHPLG | Recommends that DTMA14 is not adopted as no justification has been provided for the requirement of additional lands as Strategic Residential Reserve. |

10.14.3 Chief Executive's Response

The lands in question are located in the townland of Tully and were considered in detail in terms of the justification for their identification as 'Strategic Residential Reserve' through the 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018'. In this regard, the referenced CE Report outlined that the lands are surrounded by one- off residential properties and therefore represent an area of backland. It outlined the justification for the identification of the lands as 'Strategic Residential Reserve' having regard to (i) the nature of the site as a backland site; (ii) its existing readiness in terms of infrastructure serviceability and; (iii) being in keeping with the methodology in the Draft Plan to identify an area of 'Strategic Residential Reserve' at Brookfield, to the west. It is considered at this point, that there is no material change in the previous consideration and justification and that the lands remain an appropriate location through which the Council wish to set their long term and future objectives for residential growth in the town. It is also highlighted that policy GEN-H-5 of the Draft LAP relates to the release of 'Strategic Residential Reserve' lands and is clear in its

content that the release of 'Strategic Residential Reserve' lands for multiple development shall only be carried out in the context of a review or amendment of the LAP.

Having clearly set out the justification above, it is considered appropriate to proceed with the proposed Material Alteration.

10.14.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.15 Material Alteration Ref. DTMA15

10.15.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 9: Donegal Town | | |
| DTMA15 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Opportunity Site 1' to 'Future Car Parking' as identified on the map entitled 'Proposed Material Alteration DTMA15 and DTMA16' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 3.2 (Land Use Zoning Objectives) and Table 3.1 (Zoning Objectives in relation to the 7 towns covered by this LAP) | 2. Insert an additional land use zoning objective at table 3.1, page 12 to identify a new land use zone as 'Future Car Parking' and to include the objective as follows: "To reserve land for future car parking purposes". |

10.15.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA15.

10.15.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

10.15.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.16 Material Alteration Ref. DTMA16

10.16.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 9: Donegal Town | | |
| DTMA16 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Local Environment' to 'Opportunity Site 1' as identified on the map entitled 'Proposed Material Alteration DTMA15 and DTMA16' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | 2. Amend the text relating to 'Opportunity Site 1' in section 9.5.2 : (text for deletion shown in strikethrough; new text shown in blue) Opportunity Site 1: Revlin "This site consists of 6.6 10 hectares and is located along the N56 road leading to Killybegs. The 100kmph speed limit is positioned beyond the Western extremity of the site. The pattern of development in the area along the N56 comprises ribbon form of single dwellings and a ribbon of commercial development including some retail activity which cumulatively results in significant traffic movements on the national secondary road. To the east of the site, a local county road provides access to the established GAA pitch and clusters of residential development. The lands, at their most easterly point are approximately 1km from the Diamond and approximately 0.5 km from the edge of the town centre as it is defined in this LAP. The lands are coastal in their location, adjoining the Donegal Bay SPA and SAC. In addition, there are notable views to be had along the N56/ Wild Atlantic Way of Donegal Bay through Rossylongan Strand and Revlin Point. The lands represent a complex development opportunity in terms of environmental, access, and visual amenity considerations together with their nature at an out-of-town centre location. However, the lands represent an opportunity for the development of tourism related uses, leisure/ recreational, healthcare, medical facility educational and office accommodation in conjunction with limited residential development of up to 5 low density residential units at a location that will not require pumping for waste water treatment. Policy DT-ED-1- refers." |
| | Section 9.5.4 (Economic Development Policies) | 3. Amend Policy DT-ED-1 so that it reads as follows (text for deletion shown in strikethrough; new text shown in blue): "It is a policy of the Council to consider proposals on |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | <p>Opportunity Site 1 (Revlín) for the development of tourism related uses, leisure/ recreational, healthcare, medical facility, educational and office accommodation in conjunction with limited residential development of up to 5 low density residential units at a location that will not require pumping for waste water treatment; or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria, the requirements of the Habitats Directive, subject to all other relevant policies of the LAP including environmental considerations and compliance with the proper planning and sustainable development of the area. Having regard to the availability of other lands within and closer to the town centre, retail development will not be acceptable on this Opportunity Site. Any proposed development will be required to demonstrate suitable access onto the county road to the east together with realignment and appropriate upgrade at the junction of that county road onto the N56 and will be required to demonstrate proposals comprising (i) realignment of the County Road L-18451 and the N56 to facilitate the area of 'Future Car Parking' and; (ii) the design and construction of a roundabout or other approved junction at the intersection of the N56 with the County Road L-6605. Such proposals shall demonstrate sufficient capacity to accommodate the traffic that will be generated as a result of the entire development of Opportunity Site 1 and that the volumes and traffic movements associated with the proposed development will not have a negative impact on the capacity and safety of the N56. In addition, any proposed development will be required to demonstrate a layout that ensures the retention of critical views to Donegal Bay from the N56 and Wild Atlantic Way. Development proposals on the western portion of the lands shall also demonstrate suitable integration into the receiving landscape through appropriate building design, height and composition as well as consideration of layout, levels, use of contours and landscaping."</p> |

10.16.2 Summary of Submissions

No public submissions were received in respect of Material Alteration DTMA16. One prescribed body submission was received from TII as summarised below.

| Ref | Name | Summary |
|-----|------|--|
| PB2 | TII | Submission notes the proposals and conditions, and states that any application for development of this site and any proposed works to the N56/local road junction shall be subject to consultation with TII. |

10.16.3 Chief Executive's Response

The comments of the TII are noted.

9.16.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.17 Material Alteration Ref. DTMA17

10.17.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA17 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of lands from 'Local Environment' to 'Established Development' as identified on the map entitled 'Proposed Material Alteration DTMA17' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.17.2 Summary of Submissions

No prescribed body submissions were received in respect of DTMA17. One public submission was received as summarised below.

| Ref | Name | Summary |
|-----|-------------------|--|
| DT1 | Turley (WJ Dolan) | DTMA17 Supports the Proposed Material Alteration in the context of the recently granted planning permission for the erection of a larger, replacement retail store (ref. 17/51384) but advises that the extent of the land is not accurately mapped. |

10.17.3 Chief Executive's Response

The comments of Turley Associates in relation to support for the Proposed Alteration are noted. With regards to the alleged mapping error, this matter has been reviewed and it is acknowledged that the southern boundary can be extended slightly in the south-west corner of the zoned area to more accurately reflect the extent of the referenced planning permission. This change is considered to be minor in nature.

10.17.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration, subject to the minor mapping adjustment as referenced above.

10.18 Material Alteration Ref. DTMA18

10.18.1 Wording of Material Alteration

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 9: Donegal Town | | |
| DTMA18 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | <p>1. Amend the zoning of the lands to include the area delineated, as 'Town Centre' as well as remaining as part of 'Opportunity Site 2,' as identified on the map entitled Proposed Material Alteration DTMA18' on both the land use zoning map and on the town centre insert map and to make the following associated text changes:</p> |
| | Section 9.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | <p>2. Amend the text relating to 'Opportunity Site 2' in section 9.5.2 so that it reads as follows:</p> <p>(text for deletion shown in strikethrough; new text shown in blue)</p> <p>Opportunity Site 2: The Mullans</p> <p>"This site consists of approximately 11 hectares. It comprises lands to the south east of the site that are identified as being within the 'Town Centre' and the remainder of the lands are It is located immediately North West of the defined town centre between the regional road known as the Lough Eske Road and the route of the N56 bypass. Established surrounding development comprises a number of long established residential properties fronting onto the Lough Eske Road and an area of mixed use development at Drumrooske on the North Eastern boundary. This The land that immediately adjoins adjoin the town centre part of the 'Opportunity Site' and provides an opportunity for business, offices, recreation and tourism related uses. It and also has potential for the development of retailing of bulky comparison goods only. located on the south western portion of the site closest to the town centre. The provision of other comparison goods at this part of the site that are not of bulky nature may have a detrimental impact on the vitality of the town centre and therefore shall not be permitted on this Opportunity Site the area located outside the defined 'Town Centre.' In addition it has potential for business uses, offices, recreation and tourism related uses. Uses appropriate to 'town centre' will be considered within the area located in the defined 'Town Centre.' The lands are significant in area and therefore a comprehensive strategy for the long term delivery of the entire site shall be required through the preparation of a masterplan as part of any proposals coming forward. In particular, proposals for the area defined as forming part of the 'Town Centre' will be required to demonstrate design and layout linkages to the existing town centre including provision on site of public realm/open space, walking and cycling and including a strategy to address the potential physical</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|---|
| | | <p>obstacles to the pedestrian/cyclist as a result of the road network/infrastructure to serve the overall site. In this regard, proposals to manage the interface of significant roads infrastructure and pedestrian/ cycle/car will be required so as to ensure that the area identified as ‘Town Centre’ performs effectively as a new extension to the existing retail core and is readily and easily accessible on foot or by bicycle. In addition, proposals will be required to provide a set back of at least 50 metres from the N56. Policy DT-ED-2 refers.”</p> |
| | <p>Section 9.5.4 (Economic Development Policies)</p> | <p>3. Amend Policy DT-ED-2 relating to ‘Opportunity Site 2’ in section 9.5.4, so that it reads as follows: (text for deletion shown in strikethrough; new text shown in blue):</p> <p>Policy DT-ED-2: “It is a policy of the Council to consider (i) proposals for the development of retailing (of bulky comparison goods only), business uses, offices, recreation, tourism related uses on that part of Opportunity Site 2 (The Mullans) located outside the defined ‘Town Centre’; or for development providing for a combination of some, or all, of the aforementioned uses and; (ii) Uses appropriate to town centre on that part of ‘Opportunity Site 2’ located within the defined ‘Town Centre’. Proposals on any part of ‘Opportunity Site’ shall demonstrate subject to compliance with the undernoted criteria and the requirements of the Habitats Directive, and be subject to all other relevant policies of the LAP including environmental considerations and compliance with the proper planning and sustainable development of the area. In order to protect and strengthen the vitality of the town centre, retailing of comparison goods that are not bulky goods is not appropriate. Bulky retail development will only be permitted on the south western portion of the site at a location closest to the town centre. In particular, proposals for the area defined as forming part of the ‘Town Centre’ will be required to demonstrate design and layout linkages to the existing town centre including provision on site of public realm/open space, walking and cycling and including a strategy to address the potential physical obstacles to the pedestrian/cyclist as a result of the road networks/infrastructure to serve the overall site. The overall development of the lands will require a masterplan outlining a strategy for the integration of public and civic space including a walking and cycling strategy throughout the development providing for the integration of the route of the former railway line and linking to the town centre. A masterplan shall also demonstrate a suitable vehicular access of sufficient capacity to service the entire site as well as a 50 metre set back from the N56. Any proposal within the site will ensure a sufficient buffer between established residential development along Lough Eske Road and the proposed development in order to protect residential amenities. The</p> |

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|--|--|
| | | lands adjoin an area of flood risk to the north eastern boundary and an area of predicted pluvial flooding at the south-eastern corner of the site and therefore any proposed development will be required to comply with the flood risk management objectives and policies of this Plan." |

10.18.2 Summary of Submissions

No public submissions were received in respect of Material Alteration DTMA18. One prescribed body submission was received from TII as summarised below.

| Ref | Name | Summary |
|-----|------|---|
| PB2 | TII | The submission reiterated that as advised in initial submission, all planning applications for Opportunity Sites should be accompanied by a Traffic and Transport Assessment undertaken in accordance with the TII traffic and Transport Assessment Guidelines (2014), assessing both the proposal and cumulative impact of other development lands and neighbouring developments on the road network and adjoining national road junction and that a road safety audit should be undertaken where relevant. This is particularly relevant having regard to additional land use designations included as Opportunity sites in the Proposed Material Alterations and nature of land uses now proposed. |

10.18.3 Chief Executive's Response

The detailed consideration of the impact of the proposed development on the National Road network is undertaken as part of the development management process during the consideration of a planning application; as part of this process, any such application potentially impacting on the function of a National Road shall also be referred to the TII for comment.

With regard to the principle of the development, this matter was addressed in the Addendum to the (last) Chief Executive's Report (March, 2018). The revised boundary shown for town centre comprises an area of 3.7 hectares and given that the site adjoins both the Lough Eske Road and Regional Road, it was considered that the proposal has merit as it affords opportunity to configure an appropriate town centre layout, along the entire part of the site that is currently the closest area to the existing town centre, with improved connections, appropriate plot ratio and integration of public realm.

10.18.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.19 Material Alteration Ref. DTMA19

10.19.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA19 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | <ol style="list-style-type: none"> 1. Amend the 'Indicative Walkways/ Cycleways' delineated on the land use zoning map at the coastline south of Killybegs Road so as to extend as far out as the plan boundary and; 1b. To extend the delineated 'walkway/cycleway' from the Golf Course Road as far out as the plan boundary at St Ernans. |
| | Section 9.9.2 (Environment and Heritage Objectives) | <ol style="list-style-type: none"> 2. To insert an additional objective at section 9.9.2, page 133 so as to state: (new text shown in blue) Objective DT-EH-3: "It is an objective of the Council to explore potential greenway connections in partnership with other organisations and interested groups at key locations including the Old Railway line to Killybegs; Bluestack Way/Harveys Point; Old Railway to Barnesmore; Bank Walk to Rossylongan and; to St Ernans." |

10.19.2 Summary of Submissions

No public or prescribed body submissions were received in respect of DTMA19.

10.19.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

10.19.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.20 Material Alteration Ref. DTMA20

10.20.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA20 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of lands from (a.) 'Local Environment'; and (b.) 'Visually Vulnerable' to 'Strategic Residential Reserve' as identified on the map entitled 'Proposed Material Alteration DTMA20' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.20.2 Summary of Submissions

No submissions were received from the public in relation to DTMA20. One prescribed body submission was received from Irish Water as summarised below.

| Ref | Name | Summary |
|-----|-------------|---|
| PB6 | Irish Water | Note that the lands in question are one of a number of locations that have existing sewers running through the site and state that existing water services infrastructure is to be protected and access to mains services maintained if development of the land proceeds. Irish Water states that building over sewers is to be avoided and diversion of sewers may be a requirement to facilitate development. In the broader context, Irish Water state that discussion will be needed in relation to rezoned lands prior to the development of each site in terms of the need for network extensions, upgrades and capacity. |

10.20.3 Chief Executive's Response

The comments of Irish Water are noted and it is confirmed that any application submitted for the development of zoned sites shall be subject to detailed consideration as part of the Development Management process and this includes consultation with Irish Water.

Therefore it is considered reasonable to proceed with the proposed Material Alteration having regard to the foregoing and to the justification for identification of the lands as 'Strategic Residential Reserve' as set out in the previous Chief Executive's Report entitled, 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018'.

10.20.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.21 Material Alteration Ref. DTMA21

10.21.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA21 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Local Environment' to 'Strategic Residential Reserve' as identified on the map entitled 'Proposed Material Alteration DTMA21 and DTMA22' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.21.2 Summary of Submissions

No public or prescribed body submissions were received in relation to DTMA21.

10.21.3 Chief Executive's Response

Having regard to the absence of any submissions and to the justification for identification of the lands as 'Strategic Residential Reserve' as set out in the previous Chief Executive's Report entitled, 'Chief Executive's Report on Submissions Received to the Draft Local Area Plan, February 2018' it is considered appropriate to proceed with the proposed Material Alteration. Note justification in the previous CE report outlined the lands as suitable in supplying the long term housing needs of Donegal Town due (i) the location of the lands as sequential (ii) proximity to services (iii) as being consistent with the approach to identifying other long term 'Strategic Residential Reserve' lands both east and west and; (iv) the strategic importance of the lands in terms of future implementation of an indicative strategic road line.

10.21.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.22 Material Alteration Ref. DTMA22

10.22.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|---|
| Chapter 9: Donegal Town | | |
| DTMA22 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Local Environment' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA21 and DTMA22' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.22.2 Summary of Submissions

No public or prescribed body submissions were received in relation to DTMA22.

10.22.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

10.22.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.23 Material Alteration Ref. DTMA23

10.23.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA23 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | Amend the zoning of the lands from 'Recreation and Amenity' to 'Opportunity Site 4' as identified on the map entitled 'Proposed Material Alteration DTMA23 and DTMA24' in Appendix C of the Proposed Material Alterations Document (May 2018). |

10.23.2 Summary of Submissions

No public or prescribed body submissions were received in relation to DTMA23.

10.23.3 Chief Executive's Response

This Proposed Alteration, and Proposed Material Alteration DTMA24, deal with two sub-areas of the broader Opportunity Site 4: Milltown. The sub-area the subject of DTMA23 was zoned in the Draft Plan as 'Recreation and Amenity' due to the flood risk identified under the CFRAMS project. The amendment to the zoning as proposed in this Alteration arose from a submission by Planning Consultants requesting that this area be relocated to lands to the east and closer to the river (these lands are addressed in DTMA24 below). In the previous Chief Executive's Report of February, 2018, I advised that this proposal was the subject of, and passed, a justification test carried out by flooding consultants advising on the project as part of the Stage 2 Strategic Flood Risk Assessment. For these reasons, the proposed re-zoning was recommended in the aforementioned Chief Executive's Report. Having regard to the aforementioned, and to the absence of any submissions, see recommendation below.

10.23.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.24 Material Alteration Ref. DTMA24

10.24.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|--|--|
| Chapter 9: Donegal Town | | |
| DTMA24 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Opportunity Site 4' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration DTMA23 and DTMA24' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.4.5 (Opportunity Sites Located within the Defined Town Centre) | <p>2. Amend the text as follows (new text in blue; text for deletion shown in strikethrough):</p> <p>Opportunity Site 4: Milltown</p> <p>"This Opportunity Site comprises circa 7-8-6 hectares. It is located within the defined town centre and is a brownfield site and it comprises a number of disused buildings as well as the Magee factory and office block. It is bounded by the River Eske to the South, Tirchonaiill Street to the west and Railway Road to the north. An indicative strategic road line marks the eastern boundary. A narrow laneway traverses through the centre from the west to the east. The general area is evidenced as having a fluvial flood risk in the OPW's CFRAMs programme and in line with the guidelines entitled, 'The Planning System and Flood Risk Management' the development of these lands is considered to be required to achieve the proper planning and sustainable development of Donegal Town. Flood risk has consequently informed the extent of the Opportunity Site identified and the types of uses that may be considered. Having regard to the extent of flood risk, the types of uses that may be considered within the identified Opportunity Site are town centre uses excluding the highly vulnerable uses identified in the Draft CDP (Table 5.4.1 of the CDP 2012 refers). Chapter 3 of this LAP sets out the policy context for flood risk assessment in the consideration of applications for planning permission and in this regard the objectives and policies of the Draft CDP will be applied.</p> <p>In addition, an area of 'Recreation and Amenity' has been identified within the centre of Opportunity Site 4 and also on lands to the south intervening Opportunity Site 4 and the river. These This location is locations are associated with the area of highest probability of flooding. This area of 'Recreation and Amenity' has potential to form a linear urban and riverside park as an important resource for the town. Given the nature of the site as a strategically important town centre regeneration site, any proposals for the lands will</p> |

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------|---|--|
| | | <p>require the submission of a masterplan for an overall concept to integrate the development potential of Opportunity Site 4 and the potential of the adjoining 'Recreation and Amenity' lands as future linear riverine urban parkland. There are also significant environmental considerations to be taken into account in the consideration of any proposals at Opportunity Site 4 as the Lough Eske and Ardnamona SAC is located along the River Eske and it includes several important habitats listed on Annex I of the EU Habitats Directive and supports a number of important species as listed on Annex II of the Directive including Atlantic Salmon and Freshwater Pearl Mussel. In addition, the Donegal Bay (Murvagh) SAC and Donegal Bay SPA are designated from Bridge Street."</p> |
| | <p>Section 9.4.7 (Policies for Town Centre)</p> | <p>3. Amend Policy DT-TC-3 at 9.4.7, as follows (new text in blue; text for deletion shown in strikethrough):</p> <p>Policy DT- TC-3: "It is the policy of the Council to consider proposals for the development of town centre uses excluding highly vulnerable development types as defined in the Draft CDP, table 5.4.1, on Opportunity Site 4 (Milltown), or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria, the requirements of the Habitats Directive, all other relevant policies of the LAP including environmental considerations and taken in the context of the proper planning and sustainable development of the area. Any proposal for development shall be required to provide for a masterplan relating to the 'Masterplan Area' identified on Map 6. The masterplan shall set out an overall layout concept to integrate the development potential of the Opportunity Site and the potential of identified 'Recreation and Amenity' lands as future active parkland, including a suitably located pedestrian bridge crossing. Any masterplan and proposal made shall also (i) demonstrate suitable vehicular access to the site including provision for the indicative strategic road link identified on Map 6 and located to the east of the site (ii) provide for indicative pedestrian linkages identified on Map 6 (iii) submit an independent 'Flood Risk Assessment' and be in compliance with the guidelines entitled, 'The Planning System and Flood Risk Assessment', published 2009 including appropriately satisfying the requirements of the justification test at project level FRA (iv) demonstrate integration of open space/ civic space/ walkways/ cycleways within the development proposal and; (v) demonstrate a high quality urban environment."</p> |

10.24.2 Summary of Submissions

No public or prescribed body submissions were received in relation to DTMA24.

10.24.3 Chief Executive's Response

The response contained in the previous Section 10.24.2 sets out the background to this Proposed Alteration. In the previous Chief Executive's Report of February, 2018, it was advised that this proposal to re-zone from 'Opportunity Site 4' to 'Recreation and Amenity' accorded with a large extent of Flood Zone A lands as identified in the Stage 2 Strategic Flood Risk Assessment. For this reason, it was further advised that the re-zoning was considered appropriate. Having regard to the aforementioned, and to the absence of any submissions, see recommendation below.

10.24.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

10.25 Material Alteration Ref. DTMA25

10.25.1 Wording of Material Alteration

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|---|
| Chapter 9: Donegal Town | | |
| DTMA25 | Map No. 6 (Draft Land Use Zoning Map for Donegal Town) | 1. Amend the zoning of the lands from 'Local Environment' to 'Opportunity Site 9' as identified on the map entitled 'Proposed Material Alteration DTMA25' in Appendix C of the Proposed Material Alterations Document (May 2018). |
| | Section 9.5.2 (Opportunity Sites Located Outside the Defined Town Centre) | 2. Insert additional text at the end of section 9.5.2, page 124 to state as follows (new text in blue): Opportunity Site 9: Drumlonagher adjacent to Lidl Foodstore "The area comprises 2.7 hectares and is located to adjacent to the existing Lidl Foodstore, a single dwelling and an area of existing economic development. The lands are located on the eastern edge of the town and form the end point of an area of mixed use development types. The lands represent a gateway location that have the potential for tourism, leisure and economic type developments that are more appropriate for edge of town activity and that do not conflict with the objectives for town centre regeneration. There are traffic and transport issues associated with the future development of this site and options in this regard will vary dependant on the specific uses that come forward and the associated traffic arising, its intensity and its potential interaction with existing and planned developments and importantly the TEN-T network. Policy DT-ED-5 refers." |
| | Section 9.5.4 (Economic Development Policies) | 3. Insert an additional policy at the end of section 9.5.4, page 125 to state as follows (new text in blue): Policy DT-ED- 4 5: "It is a policy of the Council to consider proposals on lands identified as Opportunity Site 9 for tourism, leisure and economic type developments; or for development providing for a combination of some, or all, of the aforementioned uses. Any proposed development types shall be required to demonstrate appropriateness as an edge of town activity and that will not conflict with the objectives of this LAP for town centre regeneration. In addition, any proposals for development shall address the traffic and transport associated with the future development of this site and options in this regard will vary dependant on the specific uses that come forward and the associated traffic arising, its intensity and its potential interaction with existing and planned developments and importantly the TEN-T network." |

10.25.2 Summary of Submissions

There was one prescribed body submission and one public submission received in respect of DTMA25.

| Ref | Name | Summary |
|-----|-------------------|--|
| DT1 | Turley (WJ Dolan) | <ol style="list-style-type: none"> 1. Submission advises that the extent of the land is not accurately mapped. 2. Supports the Proposed Material Alteration to amend the zoning of client's lands. 3. Notes that the Opportunity Site as proposed in the Proposed Material Alteration is comprised of two ownerships: one being their client's lands comprising the site that was the subject of the recent refused planning application for a cinema (ref. 17/51431); and the other being the remainder of the identified Opportunity Site lands. Notes surprise at this as, whilst the adjoining lands have merit in terms of being designated as an opportunity site, their context and merits are somewhat different when compared to client's lands eg. unlike client's lands, the adjoining lands are not benefitted by the visual presence and direct frontage onto the N15. For these reasons submission requests that the Council creates two separate opportunity sites, and failing this, as a minimum, the Council should make it 'unequivocally clear' that any future development of client's lands are not dependent on, nor does it have to be related to, development of the other lands within Opportunity Site 9. 4. Submission welcomes the proposed additional text in relation to the Opportunity Site, particularly the acknowledgement that: 'The lands represent a gateway location that have the potential for tourism, leisure and economic-type developments...' but concerned about the remainder of the sentence wherein it states: '...that are more appropriate for edge of town activity and that do not conflict with the objectives for town centre regeneration'. However, a suggestion has been made that this wording places a limitation on the opportunity zoning and introduces uncertainty which could jeopardise future investment opportunities. Notes that the land is wholly within the settlement limit of the town and is proposed to be zoned Opportunity Site and considers that this limitation is not necessary and so asks the Council to remove it. 5. Submission supports the insertion of Policy DT-ED-4 but would welcome amendment to the wording, the principle requested change being deletion of the sentence that reads: 'Any proposed development types shall be required to demonstrate appropriateness as an edge of town activity and that will not conflict with the objectives of this LAP for town centre regeneration.' Contending the changes will be critical in ensuring that much needed certainty is provided for investors to deliver a flagship building within the site with a complementary use such as a cinema. <p>Suggest that the ability of the site to deliver a complementary development, will ensure that the site's rezoning will be in keeping with the proper planning and sustainable development of the area, particularly</p> |

| | | |
|-----|-----|---|
| | | <p>noting that it will align with the Draft SSTLAP's strategic vision, its strategic objective (SO6) and its specific objectives for Donegal Town, such as DT-ED-1 and DT-TMR-2, as it will:</p> <ul style="list-style-type: none"> • help to consolidate the existing cluster of complementary commercial activity in this area; • provide a flagship development that will add to Donegal Town's existing service and tourism offer; • help the town to deliver on its key service role for the south of the county; and • support and strengthen Donegal Town as one of the best tourism hubs in the country. |
| PB2 | TII | <p>TII note with concern addition of OPP 9 zoning in the vicinity of the N15/N56 NP roundabout junction, particularly in the context of other zoning objectives in the vicinity, referring to section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines that require Planning Authorities to exercise particular care in their assessment of Development Plan setting out the contents of this section of the Guidelines. TII state there does not appear to be a required evidence base prepared to demonstrate that additional traffic generated by development proposals can be catered for at the NP junction complementary to safeguarding the strategic function of the National Road and furthermore the proposal up to the line of the existing road, is not considered compatible with future potential upgrades to the route in proximity to the N15 and recommends careful consideration prior to adoption of the Plan.</p> |

10.25.3 Chief Executive's Response

The comments of Turley Associates in relation to support for the Proposed Alteration are noted. With regards to the alleged mapping error, this matter has been reviewed and it is acknowledged that the boundary between the site and the adjacent Lidl site shows a minor error. This can be amended and this change is considered to be minor in nature.

The subject lands are located on the eastern side of the town and to the rear of the Lidl Foodstore. A submission was received during the period of initial public consultation with a justification to rezone lands towards the eastern end as an 'Opportunity Site'. Upon re-assessment of the development potential of the overall lands at this location, it was considered appropriate that adjoining lands should also be similarly zoned given the similar undeveloped nature of these lands and given the greater potential of this larger, consolidated site. It is considered that this logic remains, notwithstanding the request to sub-divide the site into two Opportunity Sites. However, it is agreed that it can be made 'unequivocally clear' that any future development of their client's lands are not dependent on, nor does it have to be related to, development of the other lands within Opportunity Site 9. This clarification is added to the Policy text in the recommendation below.

With regard to Turley Points 4 and 5, the subject lands are located on the edge of the settlement boundary of Donegal Town and due to the site configuration, both road frontages of this 'Opportunity Site' form the gateway entry point to the town. However, the primacy of the town centre remains critical and it is for this reason that the proviso re developments 'that are more appropriate for edge of town activity and that do not conflict with the objectives for town centre regeneration' was initially included and, it is considered, should be retained.

The policy approach for 'Opportunity Sites' is to allow flexibility for consideration of broad development types such as tourism, leisure and economic development as opposed to defining specific and individual uses. The submission requests the inclusion of 'Commercial' in the policy wording. Although 'commercial' has not been defined in the Irish planning legislation, commercial has been described (in association with retail) in www.myplan.ie as "Commercial, retail would include any form of commercial or retail zone where the main aim is to sell goods or services to the public". With this in mind, it is considered that commercial/retail would not be appropriate at this edge of town location as the primacy of the town centre remains paramount and its protection is required where necessary. It is considered that 'economic type developments' (as already included in the policy wording) allows flexibility and appropriate developments for developers at this edge of town location.

The comments of the TII are noted and are perhaps most appropriately considered alongside the detailed report submitted by the TII in respect of the recent planning application for the construction of a cinema (ref. 17/51431) at the subject site. In that report, although the TII expressed concerns in relation to development at this site and indeed considered that 'it is at variance with official policy in relation to control of development on/affecting national roads' it did not include a recommendation for refusal. Rather, it identified a number of evidential weaknesses in the information submitted in support of the application. These evidential issues included: (1.) in the opinion of the TII, insufficient data to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site; (2.) deficiencies in the Traffic and Transport Assessment (TTA) submitted with the application in that it did not assess the impact of the proposed development, including associated cumulative impacts of other relevant developments, on the N15/N56/R267 roundabout junction, nor did it assess the junction capacity of the proposed R267 junction.

Having regard to the above, and notwithstanding the TII's consideration in its LAP report that such assessments should be undertaken prior to any decision to include this additional zoning in the LAP given its proximity to the National Road and National Road junction, it is considered that, on balance, the zoning and proposed policy and accompanying text as contained in this Proposed Material Alteration should be retained in the Final Plan subject to additional caveats being added to the policy and noted in the supporting text as drafted in the amended text contained in the recommendation below

10.25.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration, subject to the insertion of additional text as detailed below:

(original Proposed Material Alteration text shown in blue, proposed additional text shown in red)

1. Insert additional text at the end of section 9.5.2, page 124 to state as follows (new text in blue):

Opportunity Site 9: Drumlonagher, Adjacent to Lidl Foodstore

"The area comprises 2.7 hectares and is located to adjacent to the existing Lidl Foodstore, a single dwelling and an area of existing economic development. The lands are located on the eastern edge of the town and form the end point of an area of mixed use development types. The lands represent a gateway location that have the potential for tourism, leisure and economic type developments that are more appropriate for edge of town activity and that do not conflict with the objectives for town centre regeneration. There are traffic and transport issues associated with the future development of this site and options in this regard will vary dependant on the specific uses that come forward and the associated traffic arising, its intensity and its potential interaction with existing and planned developments and importantly the TEN-T network. Policy DT-ED-5 refers. In this regard, a Traffic and Transport Assessment of the impact of the proposed development on the adjacent national road and national road junction shall be required. "

2. Insert an additional policy at the end of section 9.5.4, page 125 to state as follows (new text in blue):

Policy DT-ED- 4 5: “It is a policy of the Council to consider proposals on lands identified as Opportunity Site 9 for tourism, leisure and economic type developments; or for development providing for a combination of some, or all, of the aforementioned uses. Any proposed development types shall be required to demonstrate appropriateness as an edge of town activity and that will not conflict with the objectives of this LAP for town centre regeneration. In addition, any proposals for development shall address the traffic and transport associated with the future development of this site and options in this regard will vary dependant on the specific uses that come forward and the associated traffic arising, its intensity and its potential interaction with existing and planned developments and importantly the TEN-T network. Where a Traffic and Transport Assessment is required, said assessment shall be submitted in accordance with Transport Infrastructure Ireland's Traffic and Transport Assessment Guidelines (2014), and shall be required to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site and shall address:

- a. the impact of the proposed development, including associated cumulative impacts of other relevant developments, on the N15/N56/R267 roundabout junction;
- b. the impact of the proposed development on the R267 junction, including demonstration of adequate vision lines having regard to the proximity of the said site access to the N15/N56/R267 roundabout.”

Access to the portion of the site located immediately to the rear of the Lidl site is not dependent on, nor does it have to be related to, development of the other lands within Opportunity Site 9.

10.26 Material Alteration Ref. GENMA3(7)

10.26.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|--------------------------------|---|--|
| Chapter 9: Donegal Town | | |
| GENMA3(7) | Section 9.7.1 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents mapping as set out at Appendix B of this document. |

10.26.2 Summary of Submissions

No public or prescribed body submissions were received in respect of GENMA3(7).

10.26.3 Chief Executive’s Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 9.7.1 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan aforementioned thereby replacing the CFRAMs exercise previously referred to in the Plan. For these reasons, see recommendation below.

10.26.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11 PROPOSED MATERIAL ALTERATIONS KILLYBEGS

11.1 Material Alteration Ref. KBMA1

11.1.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|---|
| Chapter 10: Killybegs | | |
| KBMA1 | Map No. 7 (Draft Land Use Zoning Map for Killybegs) | Amend the zoning of lands from 'Community' to 'Recreation and Amenity' as identified on the map entitled 'Proposed Material Alteration KBMA1' in Appendix C of the Proposed Material Alterations Document (May 2018). |

11.1.2 Summary of Submissions

No public or prescribed body submissions were received in respect of KBMA1.

11.1.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

11.1.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.2 Material Alteration Ref. KBMA2

11.2.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 10: Killybegs | | |
| KBMA2 | Section 10.4.7 (Town Centre Policies) | Amend the wording of Policy KB-TC-1 as follows (new text in blue): Policy KB-TC-1: "It is a policy of the Council to consider proposals for the development of harbour-related, commercial or tourism-related uses on Opportunity Site 1, or for development providing for a combination of some, or all, of the aforementioned uses subject to compliance with the undernoted criteria, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. All proposals for development on Opportunity Site 1 must fully address any potential safety issues at this waterside location and must fully address all flood risk issues." |

11.2.2 Summary of Submissions

No public or prescribed body submissions were received in respect of KBMA2.

11.2.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

11.2.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.3 Material Alteration Ref. KBMA3

11.3.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 10: Killybegs | | |
| KBMA3 | Section 10.4.7 (Town Centre Policies) | <p>Amend the wording of Policy KB-TC-2 as follows (new text in blue):</p> <p>Policy KB-TC-2: "It is a policy of the Council to consider proposals for a mix of town centre compatible uses on Opportunity Sites 2, 3 and 4 subject to compliance with the undernoted criteria, all other relevant policies of the LAP and taken in the context of the proper planning and sustainable development of the area. Proposals for standalone residential development will not be considered. Development proposals on these sites must be designed to fully address the harbour setting and must demonstrably contribute towards the regeneration and revitalisation of the town centre. Development proposals must also be designed to address all potential flood risk issues."</p> |

11.3.2 Summary of Submissions

No public or prescribed body submissions were received in respect of KBMA3.

11.3.3 Chief Executive's Response

Having regard to the absence of any submissions, and to the identification in the Strategic Flood Risk Assessment of flood risk at this location, see recommendation below.

11.3.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.4 Material Alteration Ref. KBMA4

11.4.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|---|
| Chapter 10: Killybegs | | |
| KBMA4 | Map No. 7 (Draft Land Use Zoning Map for Killybegs) | Amend Draft LAP to show the route of the proposed Outer Relief Road as identified on 'Proposed Material Alteration Map KBMA4' in Appendix C of the Proposed Material Alterations Document (May 2018). |

11.4.2 Summary of Submissions

No public or prescribed body submissions were received in respect of KBMA4.

11.4.3 Chief Executive's Response

Having regard to the absence of any submissions, the relatively straightforward nature of this particular Material Alteration and having regard to the history of this route having been identified in previous plans for Killybegs, see recommendation below.

11.4.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.5 Material Alteration Ref. KBMA5

11.5.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|--|
| Chapter 10: Killybegs | | |
| KBMA5 | Map No. 7 (Draft Land Use Zoning Map for Killybegs) | 1. Amend the zoning of lands from: (a) 'Port/Harbour Related Activities' and (b) Amenity/Open Space and Visually Vulnerable to 'Community' and 'Visually Vulnerable'. |
| | | 2. Amend the zoning of lands from (i) Amenity/Open Space; and (ii.) 'Visually Vulnerable' to 'Port/Harbour Related Activities'. |
| | Section 10.5.4: 'Economic Development Policies' (Killybegs) | 3. Amend the text of Policy KB-ED-2 so that it reads as follows: (new text shown in blue): Policy KB-ED-2: "It is a policy of the Council to consider proposals for appropriate new commercial/industrial/harbour-related/tourism related developments on lands zoned 'Port/Harbour Related Activities' on the accompanying land-use zoning map (Map 7 refers). Any proposals that are considered to have a potential impact on the hydrology of the area, particularly in terms of the adjacent St. Catherine's Well, shall be accompanied by a hydrology report prepared by a competent authority." |
| | | 4. Amend the text of Policy KB-ED-3 so that it reads as follows (new text shown in blue): Policy KB-ED-3: "It is a policy of the Council to promote and facilitate the further development and expansion of Killybegs Harbour Centre as a strategically important deep water commercial and leisure port, subject to environmental considerations and compliance with all relevant policies of this LAP. Any proposals that are considered to have a potential impact on the hydrology of the area, particularly in terms of the adjacent St. Catherine's Well, shall be accompanied by a hydrology report prepared by a competent authority." |

11.5.2 Summary of Submissions

There were 278 public submissions and 2 prescribed body submissions received in respect of KBMA5 as summarised below.

| Ref | Name | Summary |
|---------------------|----------------------------|--|
| KB1 | See Names in Table A.1 | Requests, in addition to the expressed protection of St. Catherine's Holy Well, the protection (including a minimum 40m buffer zone) around the complete St. Catherine's Archaeological Complex. This complex deserves the utmost protection and respect to help safeguard its future at the heart of our ancient community. |
| KB2 | See Names in Table A.1 | <p>Emphasises the importance of St. Catherine's Well and its surrounds to the people of Killybegs, and to the many pilgrims who visit. Vitally important that future generation will also benefit from its richness.</p> <p>Supports the proposed hydrology report requirement as contained in the Proposed Alteration. Proposed that such a report is both competent and independent.</p> <p>Agrees with proposal re sub-area (1). Imperative that access to the car-park via the existing road included in sub-area (1) is maintained at all times for parishioners, pilgrim and visitors.</p> <p>Agrees with proposal re sub-area (2) whilst noting that it is vitally important that there is a 40m buffer zone between sub-area (2) and 'the Famine Walk'.</p> |
| KB3-165 & KB167-279 | See Names in Table A.1 | These submissions are all largely identical in form. They reject the Proposed Alteration. They state that the amendment of land from Amenity/OpenSpace to Port/Harbour related activities could have a detrimental effect on the Holy Well site. Development of the site would require significant stone breaking and excavation which could damage the groundwater flow paths and impede the source of the well. They state that An Bord Pleanala have refused permission on three occasions and the site is visited daily by tourists and locals. |
| KB264 | Sinbad Marine Services Ltd | <p>States that the proposed material alteration is a positive step as some of the land holding will be designated as Port/Harbour related Activities. However, KBMA5 shows a large section of the landholding to be retained as 'Amenity Open Space and Visually Vulnerable' and the boundary of this makes the site unviable in trying to bring forward development. The submission further states the following;</p> <ul style="list-style-type: none"> • The present boundary line will not allow safe access road to be built due to topography and site levels. Furthermore, the client's only access and right of way is to the north-west of the site. The proposed boundary would result in a road which would be visually unattractive from public view points and would have a detrimental impact on the landscape due to levels. • Public access to the Holy Well is already permitted by the Harbour Authority along the Harbour Road. • Considers that the extent of the 'Visually Vulnerable' designation of KBMA5 is disproportionate to the overall Port/Harbour land use designation especially where there is built (residential) development approximately 40m to the south-west. Argue against the necessity of having such a wide buffer at this point, where there is no visual impact on the Holy Well and where there are intervening boundary features |

| | | |
|-----|------|--|
| | | <p>dividing the two sites.</p> <ul style="list-style-type: none"> • Provides an alternative preferred boundary drawing and states that a distance of 50m will be achieved from the Holy Well to the edge of the access road, that the Holy Well will remain protected and that the alternative location for the road will not have a detrimental impact on the well. • Contends that the Draft Plan proposal to amend the zoning from 'Port/Harbour Related Activities and (b) Amenity open Space' and 'Visually Vulnerable' TO 'Community' and 'Visually Vulnerable' is illogical and would serve no purpose as a community use adjoining land uses that are port/harbour related. • States that in order to support the harbour operation of Killybegs port, it is essential that adequate zoned lands are available immediately adjacent to the port for future development of marine-based operations. • Given the strategic importance of the harbour to Killybegs, request the Council redraw the boundary to allow for the provision of a safe access road as set out in drawing accompanying the submission. • States that every effort should be made to safeguard Killybegs Harbour. Also, that the surrounding area was designated a Fishery Harbour Centre under S.I. No. 210/1969 and that there is only one viable location for an entrance to link the road granted under planning reference PA/10/20458 and contends that the preferred option as set out in the submitted drawing will be more visually acceptable to all parties. |
| PB1 | DAFM | <p>Strongly objects to the designation of the site as 'Community and Visually Vulnerable'. The Killybegs Fishery Harbour Centre is owned, managed and maintained by the DAFM and is reclaimed foreshore at a cost of €1million with a strategy to create jobs. The site provides a green buffer of trees, landscaping and car parking to soften the overall harbours development on St. Catherine's Well. DAFM consider that designation of port lands as 'Community Space' is not considered the best use of strategically located port lands as well as safety concerns for community uses adjacent to a busy Fishery harbour Centre with HGVs etc. DAFM state that the current proposal of 'Community and Visually Vulnerable' would neutralise this site and effectively prevent it being used for the benefit of the Harbour. DAFM notes the revisions in the draft which includes re-designating undeveloped lands in the immediate vicinity but outside the boundary of the Fishery Harbour Centre from amenity space to port related activity and urges the Council to re-consider this issue and to leave the designation of this site as 'Port/Harbour related activities' as originally intended.</p> |

11.5.3 Chief Executive's Response

The volume of responses received in relation to this issue was again substantial. The response deals with each sub-area separately as below.

Sub-Area (1) - Adjacent to Fire-Station

In the first instance, it would be of assistance to recap on the evolution of this issue through the Plan-making process up to this point. This may be considered in three stages as set out below (refer also to the mapping attached and labelled Background Plan 1, 2 and 3).

| STAGE | DESCRIPTION | COMMENTARY |
|---------------------------------|---|--|
| 1. Working Draft | Executive recommended site to be included within the Port/Harbour zoning. | Recommendation was made consistent with zoning in previous Killybegs LAP 2008-2014, and having regard to the site's location between the roundabout and the Harbour area and that the site was reclaimed land created during the Harbour construction project. |
| 2. Draft Plan | Members resolved to zone the site as predominantly 'Amenity/Open Space' and 'Visually Vulnerable', together with a narrow strip along the south-eastern side of the site being included within the 'Port/Harbour' zoning in line with the established road at this location. | The rationale behind the Members' decision was largely to protect the setting of the St. Catherine's Well. |
| 3. Proposed Material Alteration | Members resolved to zone the site as predominantly 'Community' and 'Visually Vulnerable', together retaining the previously-identified narrow strip along the south-eastern side of the site within the 'Port/Harbour' zoning in line with the established road at this location. | The rationale behind the Members' decision was largely to protect the setting of the St. Catherine's Well. |

Turning to the submissions, I would note firstly the comments of the Department of Marine. As outlined in the summary above, the Department has objected in very strong terms to the proposal and provides a number of reasons for this position:

1. The site is owned, managed and maintained by the DAFM and is reclaimed foreshore at a cost of €1million with a strategy to create jobs.
2. The site provides a green buffer of trees, landscaping and car parking to soften the overall harbours development on St. Catherine's Well.
3. Is not considered the best use of strategically located port lands as well as safety concerns for community uses adjacent to a busy Fishery harbour Centre with HGVs etc.
4. Would neutralise this site and effectively prevent it being used for the benefit of the Harbour.

Similar concerns are expressed in Public submission KB264 wherein it is contended that the Draft Plan proposal is illogical and would serve no purpose as a community use adjoining land uses that are port/harbour related.

Finally in relation to the submissions on Sub-area (1) I would note the support expressed in KB2 for the proposal, whereas the body of similar private individual public submissions make no reference to this sub-area.

The concerns of the Department and in Public Submission KB264, and the suggestion that the site zoning should return to Port/Harbour uses are noted. The reasons given by them are consistent with

the rationale that informed the Executive's recommendation in the Working Draft Plan that this sub-area should be included within the Port/Harbour zoning as referenced in the 'site history' table above. This use would still be the preferred use of the Executive. However, this use cannot now be accommodated for the following procedural reasons. The Department also expressed these concerns in its submission in response to the Draft Plan. Reflecting these concerns, in the previous Chief Executive's Report it was recommended that the zoning of this site should revert to that contained in the Working Draft Plan ie. for Port/Harbour-related uses and that this should issue as a Material Alteration. Notwithstanding, Members resolved to proceed differently and resolved to issue a Proposed Material Alteration to amend the zoning from Amenity/Open Space and Visually Vulnerable, to Community and Visually Vulnerable. Thus to introduce a materially different predominant use at this stage (ie. Port/Harbour-related uses) that was not referenced in either the Draft Plan or the Proposed Material Alteration is not an option for the Council having regard to Section 20(q) of the Planning and Development Act, 2000 (As Amended) wherein it provides that:

(q) A further modification to the material alteration—

- (i) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,
- (ii) shall not be made where it refers to—
 - (I) an increase in the area of land zoned for any purpose, or
 - (II) an addition to or deletion from the record of protected structures.

With regard to the two options now available to the Council, either to make the Final Plan with the alteration, or to make the Final Plan with the Draft Plan zoning, I would refer again to the comments of the Department where they express '...safety concerns for community uses adjacent to a busy Fishery harbour Centre with HGVs etc.'. On the basis of these concerns, refer to recommendation contained at Section 11.5.4 below.

Sub-Area (2) - Between St. Catherine's Well/Cat Castle and Port/Harbour

The evolution of this sub-area (2) through the Plan-making process up to this point is summarised in the table below.

| STAGE | DESCRIPTION | COMMENTARY |
|------------------|---|---|
| 1. Working Draft | The recommended boundary between (a.) the Amenity/Open Space and Visually Vulnerable Area and (b.) Harbour area was formulated by the Executive having regard to the details of planning application 15/51173 for an office, storage and workshop building inclusive of site reduction of 8m on private lands adjacent to the established Harbour area. | This rationale was applied on the basis that whilst the application was ultimately refused by An Bord Pleanala, the application had been approved by the Planning Authority following consideration of detailed matters under the planning application. |
| 2. Draft Plan | Members resolved to extend the Amenity/Open Space and Visually Vulnerable area eastwards across the above-noted site as far as the established Harbour area. | The rationale behind the Members' decision was largely to protect the setting of the St. Catherine's Well. |

| | | |
|---------------------------------|---|---|
| 3. Proposed Material Alteration | Members resolved that the boundary would be formed along a line 40m to the east of the Famine Road. | The rationale behind the Members' decision was to strike an appropriate balance between protecting the setting of the St. Catherine's Well and broader amenity area, whilst also recognising the strategic importance of the Harbour/Port for the town. |
|---------------------------------|---|---|

All but 2 of the 279 submissions received from members of the public express strong opposition to this Alteration and urge that St. Catherine's Well has to be protected. The reasons for opposing the proposal include '...that it could have a detrimental effect on the Holy Well; that it would require a lot of stone breaking and excavation (that) could damage the groundwater flow paths and impede on the source of the Holy Well; An Bord Pleanala has refused planning permission 'for this land on three occasions'.

Two public submissions, refs. KB2 and KB264, support the Proposed Alteration. KB2 support is on the proviso that it is vitally important that there would be a minimum 40m buffer zone between sub-area (2) and 'The Famine Walk'. This is provided for in the Proposed Alteration. KB264 expresses support but goes on to make the case that the Port/Harbour area should be extended further westwards. The reasons given include the strategic importance of the harbour; that the boundary of the site as drawn would make their site unviable and would not allow safe access road to be built due to topography and site levels; their only access and right of way is to the north-west of the site; the proposed boundary would result in a road which would be visually unattractive from public view points and would have a detrimental impact on the landscape due to levels and public access to the Holy Well is already permitted by the Harbour Authority along the Harbour Road. An alternative preferred boundary is proposed broadly adjacent to (ie. slightly to the east of) the Famine Road whereby a distance of 50m would be achieved from the Holy Well to the edge of the access road within the extended area. Thus, it is concluded, that the Holy Well would remain protected and the alternative location for (their internal) road would not have a detrimental impact on the well.

This proposal gives rise to a similar scenario as discussed above as the proposed expansion of the zoning westwards would be a material departure from anything proposed in either the Draft Plan or the Proposed Material Alteration. It follows that the proposal cannot be considered at this stage.

With regard to the two options now available to the Council, either to make the Final Plan with the alteration, or to make the Final Plan with the Draft Plan zoning, I note the concerns of the public (along with the volume of concerns expressed earlier in the process), the 'neutrality' of the Department of Marine and the support of the private landowner. As noted in the previous Chief Executive's Report, the St. Catherine's Well area of Killybegs is undoubtedly one of the key heritage sites in the town, due to its archaeological, cultural and religious significance, its open space and amenity value and its historical importance. On the other hand, the commercial harbour area is of the utmost importance given that it is a central element of the economic functioning of the town, is the basis for significant employment in the area and indeed contributes hugely to the sense of place and character within Killybegs. There can be no question that the protection of St. Catherine's Well, the ruins of St. Catherine's Church and Cat's Castle and the associated curtilage of these structures, must be a central element of any Local Area Plan for the town. There can also be no question as to the importance of Killybegs Harbour in terms of the future commercial development of the town and indeed wider area. In light of the foregoing, it appears clear that the most appropriate course of action in relation to this issue is to attempt to strike a balance between the preservation of the Well and providing for the sustainable expansion of Killybegs Harbour. In this respect, the published Proposed Material Alteration zoning as agreed most recently by Members at the March, 2018 Council meeting, is considered a balanced approach to this challenging issue. This zoning retains a significant 'Amenity' zoning around the St. Catherine's Well area (defined by a distance of 40m from the Famine Road and thus some 85m to 90m from the Holy Well), whilst at the same time providing for an extension to the western side of the 'Port/Harbour Related Activities' zoning. For these reasons, refer to recommendation 'b' at Section 11.5.4 below.

11.5.4 Recommendation

It is recommended that:

- a. The Plan be made without the Proposed Material Alteration as it relates to sub-area (1) and therefore that it is made with the zoning of this area reverting to the Draft Plan zoning ie. predominantly for 'Amenity/Open Space and 'Visually Vulnerable', with a small area also zoned for 'Port/Harbour reflecting the established road; and
- b. The Plan be made with the Proposed Material Alteration as it relates to sub-area (2).

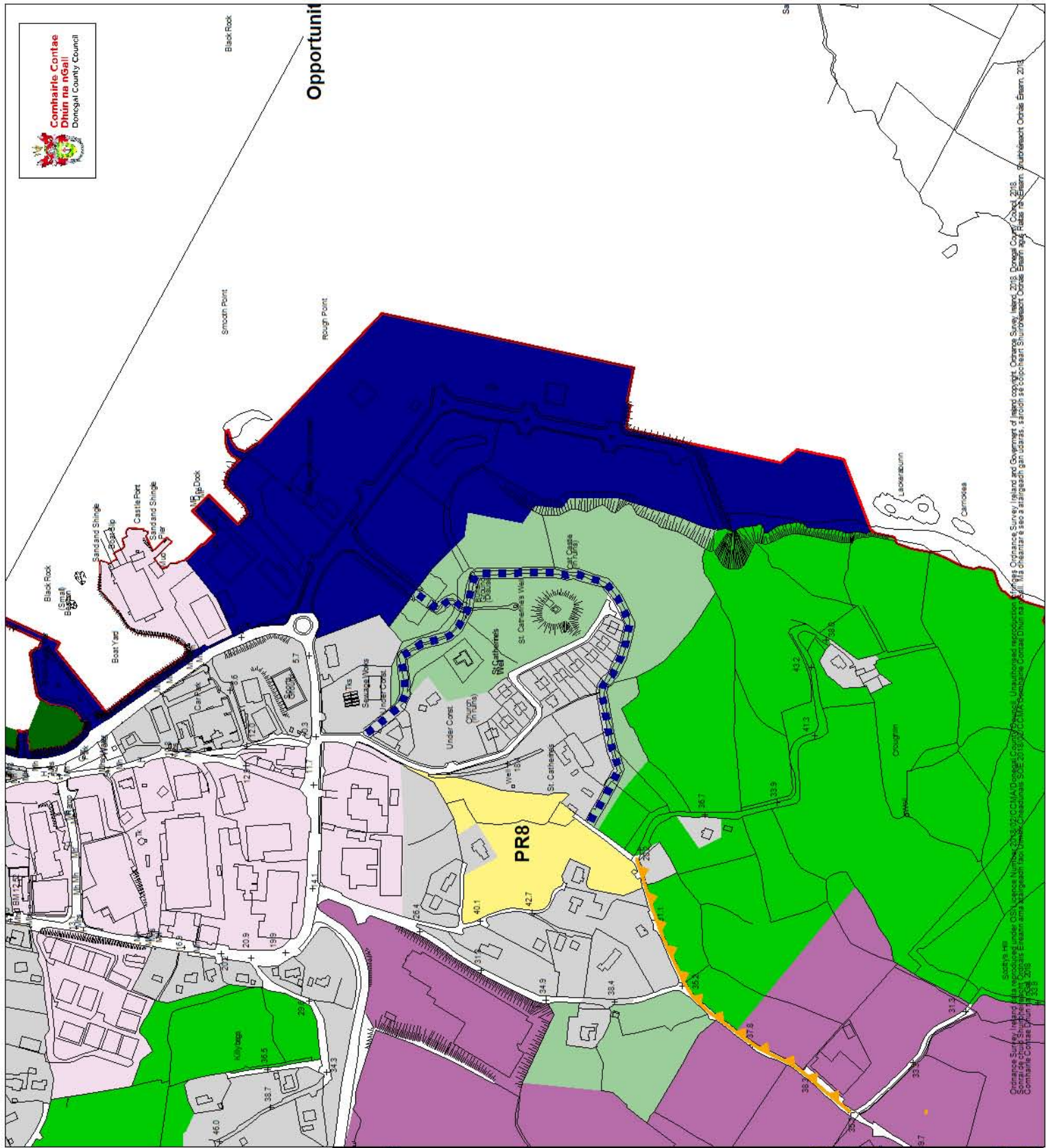
Chief Executive's Report following the period of Public Consultation on the Material Alterations to the Draft Seven Strategic Towns Local Area Plan 2018-2024

Material Alteration KBMA5

Background Plan 1: Working Draft Plan

Legend/Eochair Eolais

-  Strategic Residential Reserve
-  Cúichiste Cónaitheach
-  Straitéiseach
-  Primarily Residential
-  Príomhchónaitheach
-  Opportunity Site
-  Suíomh Deiseanna
-  Amenity / Open Space
-  Taitneamhacht / Spas Oscailte
-  Community
-  Pobail
-  Local Environment
-  Timpeallacht Aitiúil
-  Economic Development
-  Forbairt Eacnamaíoch
-  Established Economic
-  Eacamaíoch Bunaithe
-  Established Development
-  Forbairt Bhunaithe
-  Town Centre
-  Lár an bhaille
-  Killybegs Boundary
-  Teorainn na gCealla Beaga
-  Indicative Additional Parking
-  Footpath & Small Craft Mooring
-  Páirceáil Breise Táscaich, Cosá
-  Cosanta & Ceardaíochta Beaga
-  Town Centre Regeneration Area
-  Limistéar Athghiniúna Lár an Bhaille
-  Port / Harbour Related Activities
-  Gníomhaíochtaí Gaoimhara
-  Road Widening Reserve
-  Cúichiste Leathnú Bóthair
-  Indicative Pedestrian & Cycleway
-  Linkages
-  Nascanna Coisithe & Rothaíochtaí



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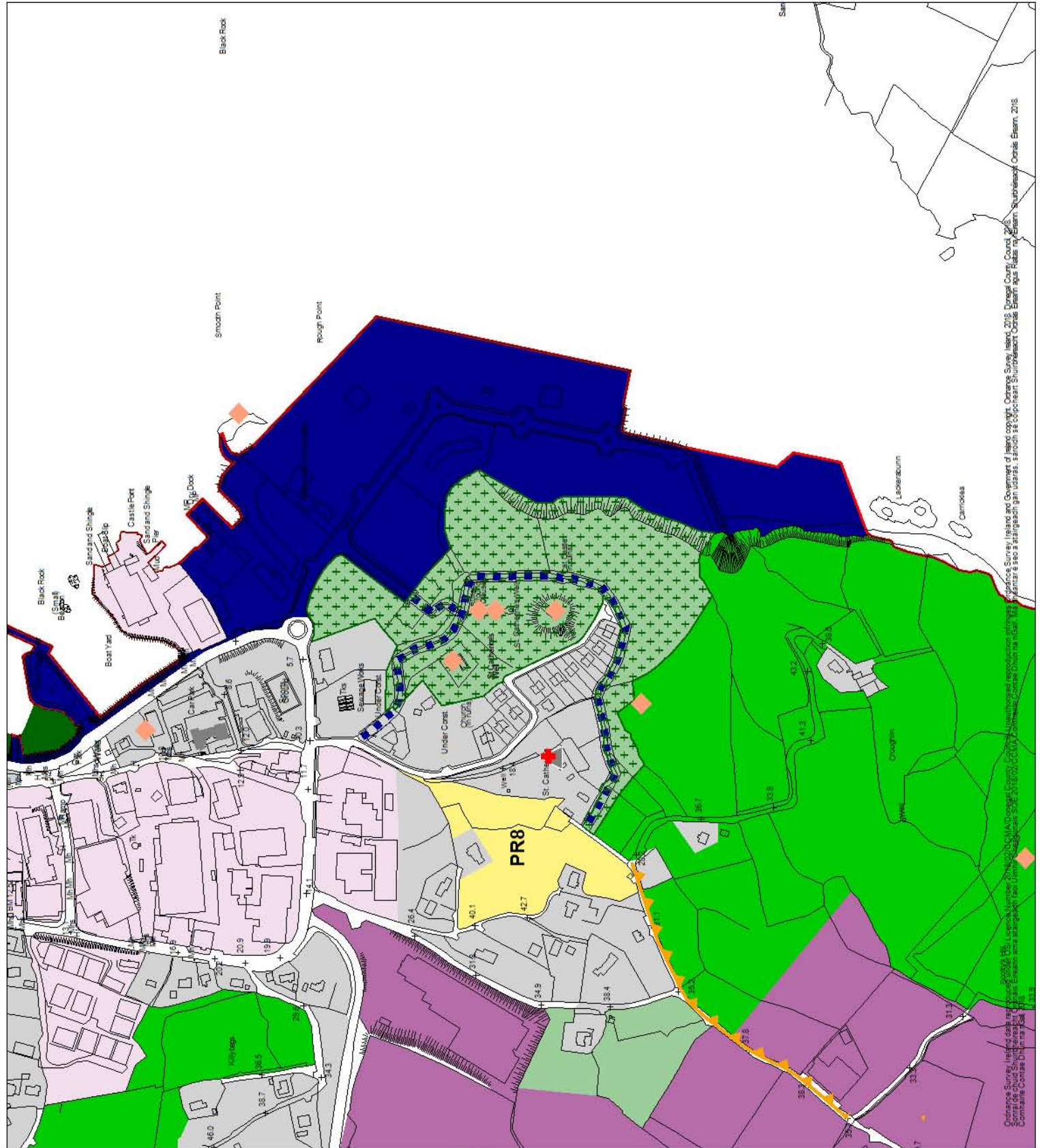
Chief Executive's Report following the period of Public Consultation on the Material Alterations to the Draft Seven Strategic Towns Local Area Plan 2018-2024

Material Alteration KBMA5

Background Plan 2: Draft Plan

Legend/Eochair Eolais

-  Strategic Residential Reserve / Cúitaca Straitéiseach Cónait
-  Primarily Residential / Cónaithe go príomha
-  Opportunity Site / Suíomh Deise
-  Amenity / Open Space / Ais / Spás Oscailte
-  Community / Pobal
-  Local Environment / Timpeallacht Aitiúil
-  Economic Development / Forbairt Eacnamaíoch
-  Established Economic Development / Eacnamaíoch cheana féin
-  Established Development / Forbartha cheana féin
-  Visually Vulnerable / Radharc Leochaileach
-  Town Centre / Lár an Bhaile
-  Killybegs Boundary / Críoch na gCealla Beaga
-  Indicative Additional Parking / Páircéil Bhreise Tháscach, Cosán & Feistiú le haghaidh Báid Beaga
-  Town Centre Regeneration / Limistéar Athnuachana Lár Ba
-  Port / Harbour Related Activities / Calafort / Gníomhaíochtaí Cua



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11.6 Material Alteration Ref. KBMA6

11.6.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|---|
| Chapter 10: Killybegs | | |
| KBMA6 | Map No. 7 (Draft Land Use Zoning Map for Killybegs) | 1. Amend the zoning of the lands from 'Strategic Residential Reserve' to 'Low Density Residential' as identified on the map entitled Proposed Material Alteration KBMA6' and label the area as 'LDR'. |
| | Section 10.6.2 - Table 10.1 (Total lands Identified to meet Residential Housing Need in Killybegs) | 2. Amend Table 10.1 to reflect the site area and potential number of housing units to be delivered as a result of the proposed amendments as set out at Appendix A of this document. |

11.6.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA6.

11.6.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration and to the compatibility of development of this nature with established development in the vicinity, and to the serviceability of the site, see recommendation below.

11.6.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.7 Material Alteration Ref. KBMA7

11.7.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 10: Killybegs | | |
| KBMA7 | Section 10.6.4 (Housing Policies) | <p>Insert a new Policy KB-H-4 into the Draft LAP to read as follows: (new text shown in blue)</p> <p>Policy KB-H-4: "It is a policy of the Council to consider proposals for Low Density Residential development (maximum of 8 residential dwellings per hectare) on the site denoted LDR on Map No. 7 of this LAP. All proposals for development of this site must make provision for, inter alia (a.) access via the northern end of the site (b.) the upgrade and widening of the existing road along the northern site boundary, (c.) the installation of pedestrian footpaths that link the site with existing pedestrian footpaths in the locality, (d.) the installation of appropriate public lighting within the site and along the widened roadway to the north of the site and (e.) the installation of appropriate storm water attenuation systems on site. All proposals for development on this site must otherwise comply with all other relevant policies of this LAP."</p> |

11.7.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA7.

11.7.3 Chief Executive's Response

Having regard to the absence of any submissions to the sequential logic of this site, to the compatibility of the proposal with adjacent established development and the serviceability of the site, see recommendation below.

11.7.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.8 Material Alteration Ref. KBMA8

11.8.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|---|
| Chapter 10: Killybegs | | |
| KBMA8 | Section 10.5.4 (Economic Development Policies) | Amend the text of Policy KB-ED-1 as follows (new text in blue): Policy KB-ED-1: "It is a policy of the Council to consider proposals for appropriate new commercial developments, including industrial uses, (or proposals for extensions to or redevelopment of existing commercial/industrial uses) on lands zoned 'Economic Development' on the accompanying land-use zoning map (see Map 7), subject to compliance with all relevant policies of this Local Area Plan. Any development proposals located in close proximity to the existing lake within the area zoned Economic Development must be designed and configured so as to preserve the visual amenities of the lake and its immediate environs". |

11.8.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA8.

11.8.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

11.8.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.9 Material Alteration Ref. KBMA9

11.9.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|--|
| Chapter 10: Killybegs | | |
| KBMA9 | Section 10.8.2 (Tourism, Marine and Recreation Objectives) and Section 10.8.3 (Tourism, Marine and Recreation Policies) | <p>Include a new objective and policy in the Draft LAP to support the potential development of greenway/walkway/cycleway projects in Killybegs as follows:</p> <p>(new text shown in blue)</p> <p>Objective KB-TMR-2: "It is an objective of the Council to support the potential development of new greenway/walkway/cycleway projects in Killybegs."</p> <p>Policy KB-TMR-5: "It is a policy of the Council to protect established/historic railways in Killybegs to develop a network of green infrastructure for potential greenway/walkway/cycleway projects and for recreational development as an important part of the tourism product of the town."</p> |

11.9.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA9.

11.9.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively straightforward nature of this particular Material Alteration, see recommendation below.

11.9.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.10 Material Alteration Ref. KBMA10

11.10.1 Wording of Material Alteration

| Ref. | Chapter/Section/ Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|--|
| Chapter 10: Killybegs | | |
| KBMA10 | Map No. 7 (Draft Land Use Zoning Map For Killybegs) | Extend the Local Area Plan boundary and zone the intervening lands as 'Economic Development' as identified on the map entitled 'Proposed Material Alteration KBMA10' in Appendix C of the Proposed Material Alterations Document (May 2018). |

11.10.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA10.

11.10.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

11.10.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.11 Material Alteration Ref. KBMA11

11.11.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|--|
| Chapter 10: Killybegs | | |
| KBMA11 | Map No. 7 (Draft Land Use Zoning Map for Killybegs) | Amend the zoning of lands from 'Amenity/Open Space' to 'Established Development' as identified on the map entitled 'Proposed Material Alteration KBMA11' in Appendix C of the Proposed Material Alterations Document (May 2018). |

11.11.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA11.

11.11.3 Chief Executive's Response

Having regard to the absence of any submissions and to the relatively small-scale nature of this particular Material Alteration, see recommendation below.

11.11.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

11.12 Material Alteration Ref. KBMA12

11.12.1 Wording of Material Alteration

| Ref. | Chapter/Section/Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|---|--|
| Chapter 10: Killybegs | | |
| KBMA12 | Map No. 7 (Draft Land Use Zoning Map For Killybegs) | Amend the zoning of lands from 'Economic Development' to 'Local Environment' as identified on the map entitled 'Proposed Material Alteration KBMA12' in Appendix C of the Proposed Material Alterations Document (May 2018). |

11.12.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of KBMA12.

11.12.3 Chief Executive's Response

The subject lands are located in a broader area that was previously identified by the Council as an area of major industrial expansion in Killybegs and that has benefited from substantial Council investment in the Industrial Road serving the area as a result. This initiative was developed in tandem with the development of the new Killybegs Harbour Centre driven by substantial and well-documented Department funding at the Harbour. Thus this area must be regarded as forming part of a major initiative to expand the strategic role of Killybegs as a major fishing and industrial town in the south-west of the county. The Industrial Road has opened up the lands on either side and subsequently seen major private sector investment into the development of the said lands. The Industrial Road was planned and developed to restrict the number of junctions serving the road, for sound traffic safety reasons. Given the success of this work to date, it is considered that to include the this Proposed Material Alteration in the Final Adopted Plan would constitute ad hoc, piecemeal development that would be directly contrary to the Strategic approach heretofore and as described above, and that such development would prejudice the operational effectiveness of the industrial area as it would move residential development closer to the envisaged industrial operations and would also give rise to a traffic conflict. For these reasons, see recommendation below.

11.12.4 Recommendation

It is recommended that the Plan be made without the proposed Material Alteration.

11.13 Material Alteration Ref. GENMA3(8)

11.13.1 Wording of Material Alteration

| Ref. | Chapter/Section /Map in the Draft Local Area Plan | Proposed Material Alteration for Publication (Including changes as a result of SEA/AA) |
|------------------------------|--|--|
| Chapter 10: Killybegs | | |
| GENMA3(8) | Section 10.7.2 (Flooding, inclusive of Flood Extents Mapping) | Amend text and insert revised Flood Extents mapping as set out at Appendix B of this document. |

11.13.2 Summary of Submissions

There were no public or prescribed body submissions were received in respect of GENMA3(8).

11.13.3 Chief Executive's Response

Assessment of flood risk has had an important role in the preparation of this Plan. This Proposed Material Alteration was recommended in order to capture this significance and the Flood Risk Assessment work undertaken to inform the Plan preparation, particularly the updated information provided after the publication of the Draft Plan in the form of the Stage 2 Strategic Flood Risk Assessment (SFRA). This particular Proposed Material Amendment is a factual update of the Plans narrative in section 10.7.2 to reflect the fact that the Stage 2 Strategic Flood Risk Assessment was the evidence base now being used to inform the Plan aforementioned thereby replacing the CFRAMs exercise previously referred to in the Plan. For these reasons, see recommendation below.

11.13.4 Recommendation

It is recommended that the Plan be made with the proposed Material Alteration.

12 SUBMISSIONS UNRELATED TO MATERIAL ALTERATIONS

Submission Ref. KB166 relates to the County Development Plan 2018-2024 and not the Seven Strategic Towns Local Area Plan 2018-2024. The submission refers to Holiday Home policy and proposes site specific boundary extensions to both Moville and Greencastle.

Submission Ref. CN2, refers to two separate sites, one identified by a folio number and the other identified by a planning reference number 08/70403. The submission includes a request that the sites are considered for development and future provisions of services for Carndonagh. The 'folio number site' may not be considered as this site does not relate to a Material Alteration. The 'planning permission site' does refer to a Proposed Material Alteration and is therefore addressed in Section 9.8.

Submission Ref. PB2, received from Transport Infrastructure Ireland includes the following:

- Requests that LAP include reference to the provisions of DoECLG Guidelines in section 3 of the LAP reflecting the provisions of section 5.1.3 of the CDP. As the National Road Network traverses the Plan impacting on a number of the Strategic towns.
- Requests careful consideration is given to the requirements of the DoECLG Spatial Planning and National Roads Guidelines, Project 2014, National Planning Framework and National Development Plan 2018-2027, when including additional zoning proposals and development objectives in the vicinity of the strategic NP network that could, individually and cumulatively impact on the strategic function and safety of National Roads.
- States that observations previously made on the proposed use of Masterplan exercises for the OPP sites remain the position of the TII.

APPENDIX A

LIST OF PERSONS AND BODIES WHO MADE SUBMISSIONS

Table A.1: List of submissions made by members of the Public

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|---|--|
| BS1 | MH Associates | YES (BSMA4) |
| BY1 | Allanarc Architects | YES (BYMA17) |
| CN1 | Harely Planning Consultants GDC Ireland Ltd) | YES (CNMA1) |
| CN2 | Derek and Roisin McLaughlin | YES (The submission does not explicitly reference an Alteration but does makes indirect reference to CNMA8 by way of a planning permission ref. no.) |
| DT1 | Turley (WJ Dolan) | YES (DTMA17 & DTMA25) |
| KB1 | Derek Vial | YES (KBMA5) |
| KB2 | Fr. Colm O'Gallchoir | YES (KBMA5) |
| KB3 | Mary Melly | YES (KBMA5) |
| KB4 | Eileen Diver | YES (KBMA5) |
| KB5 | Ann Moore | YES (KBMA5) |
| KB6 | Pat Gannon? | YES (KBMA5) |
| KB7 | Enda Murphy | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|----------------------------|--|
| KB8 | Margaret Murphy | YES (KBMA5) |
| KB9 | K? Murphy | YES (KBMA5) |
| KB10 | Mairead Murphy | YES (KBMA5) |
| KB11 | Sean Murphy | YES (KBMA5) |
| KB12 | Fergus Melly | YES (KBMA5) |
| KB13 | Charlie Diver | YES (KBMA5) |
| KB14 | Eimear Diver | YES (KBMA5) |
| KB15 | Dearbhla Diver | YES (KBMA5) |
| KB16 | Pauric Diver | YES (KBMA5) |
| KB17 | Xxxxx Cxxxxxxx (illegible) | YES (KBMA5) |
| KB18 | Jim Boyle | YES (KBMA5) |
| KB19 | Nicola Boyle | YES (KBMA5) |
| KB20 | Roisin Boyle | YES (KBMA5) |
| KB21 | Mary Kourmans | YES (KBMA5) |
| KB22 | Miriam Dawaf | YES (KBMA5) |
| KB23 | John Campbell | YES (KBMA5) |
| KB24 | Kevin Boyle | YES (KBMA5) |
| KB25 | Nuala Boyle | YES (KBMA5) |
| KB26 | Phyllis Melly | YES (KBMA5) |
| KB27 | Carmel Melly | YES (KBMA5) |
| KB28 | Jimmy Byrne? | YES (KBMA5) |
| KB29 | Ursula Byrne | YES (KBMA5) |
| KB30 | Mandy Hegarty | YES (KBMA5) |
| KB31 | Viv McCally | YES (KBMA5) |
| KB32 | Brian McCabe | YES (KBMA5) |
| KB33 | B. McCabe | YES (KBMA5) |
| KB34 | K McCabe | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|-----------------------------|--|
| KB35 | Gerry McCabe | YES (KBMA5) |
| KB36 | Nuala? Knox | YES (KBMA5) |
| KB37 | Annie Byrne | YES (KBMA5) |
| KB38 | Seamus Byrne | YES (KBMA5) |
| KB39 | Colleen Boyle | YES (KBMA5) |
| KB40 | Ashling Whelan | YES (KBMA5) |
| KB41 | Patrick Byrne | YES (KBMA5) |
| KB42 | Damien Byrne | YES (KBMA5) |
| KB43 | Arlene Melly | YES (KBMA5) |
| KB44 | Leslie McGregor | YES (KBMA5) |
| KB45 | Ashling Xxxxxx (illegible) | YES (KBMA5) |
| KB46 | Eugene Mullins | YES (KBMA5) |
| KB47 | Xxxxx (illegible)Normoyle | YES (KBMA5) |
| KB48 | D. Gallagher | YES (KBMA5) |
| KB49 | Thomas Brosnan | YES (KBMA5) |
| KB50 | Ciara Randles | YES (KBMA5) |
| KB51 | Anne Brosnan | YES (KBMA5) |
| KB52 | Leanne Brosnan | YES (KBMA5) |
| KB53 | Jacinta Byrne | YES (KBMA5) |
| KB54 (PB1) | DAFM | YES (KBMA5) |
| KB55 | Maeve Murray | YES (KBMA5) |
| KB56 | Frances O'Donnell | YES (KBMA5) |
| KB57 | Ciaran McIntyre | YES (KBMA5) |
| KB58 | Donal O'Donnell | YES (KBMA5) |
| KB59 | Paddy McGuinness | YES (KBMA5) |
| KB60 | Xxxxxx Xxxxxxxx (illegible) | YES (KBMA5) |
| KB61 | Anne McGuinness | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|------------------------------|--|
| KB62 | Rose O'Donnell | YES (KBMA5) |
| KB63 | Geneve O'Donnell | YES (KBMA5) |
| KB64 | Colin O'Donnell | YES (KBMA5) |
| KB65 | Lee Kelly | YES (KBMA5) |
| KB66 | T. Given | YES (KBMA5) |
| KB67 | Rachel Cxxxxxx (illegible) | YES (KBMA5) |
| KB68 | Margo Given | YES (KBMA5) |
| KB69 | Karen Barrett | YES (KBMA5) |
| KB70 | Joanna O'Kelly | YES (KBMA5) |
| KB71 | Mary Walsh | YES (KBMA5) |
| KB72 | Bill Walsh | YES (KBMA5) |
| KB73 | Orla Hourihane | YES (KBMA5) |
| KB74 | Kathleen Xxxxxxx (illegible) | YES (KBMA5) |
| KB75 | Eileen O'Donnell | YES (KBMA5) |
| KB76 | George Murray | YES (KBMA5) |
| KB77 | Philomena Melly | YES (KBMA5) |
| KB78 | Michael Melly | YES (KBMA5) |
| KB79 | Marie Brennan | YES (KBMA5) |
| KB80 | Eddie Brennan | YES (KBMA5) |
| KB81 | Hugh Melly | YES (KBMA5) |
| KB82 | Grace O'Donnell | YES (KBMA5) |
| KB83 | John Walters | YES (KBMA5) |
| KB84 | Carol Walters | YES (KBMA5) |
| KB85 | Conal Walters | YES (KBMA5) |
| KB86 | Lena Walters | YES (KBMA5) |
| KB87 | Eileen Boyle | YES (KBMA5) |
| KB88 | Patrick O'Donnell | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|---------------------|--|
| KB89 | Anna O'Donnell | YES (KBMA5) |
| KB90 | Andrea O'Donnell | YES (KBMA5) |
| KB91 | Beth Whelan | YES (KBMA5) |
| KB92 | Marie Melly | YES (KBMA5) |
| KB93 | Anne Byrne | YES (KBMA5) |
| KB94 | Francie Gallagher | YES (KBMA5) |
| KB95 | Maureen Gallagher | YES (KBMA5) |
| KB96 | Bridget McFadden | YES (KBMA5) |
| KB97 | John Mcfadden | YES (KBMA5) |
| KB98 | Pat O'Donnell | YES (KBMA5) |
| KB99 | Kathleen O'Donnell | YES (KBMA5) |
| KB100 | Anthony Melly | YES (KBMA5) |
| KB101 | Lyndsay Melly | YES (KBMA5) |
| KB102 | Fergal? Melly | YES (KBMA5) |
| KB103 | Steph Melly | YES (KBMA5) |
| KB104 | Nora Gildea | YES (KBMA5) |
| KB105 | Rosemarie Whelan | YES (KBMA5) |
| KB106 | Patsy Gildea | YES (KBMA5) |
| KB107 | Ann Melly | YES (KBMA5) |
| KB108 | Gay Kelly | YES (KBMA5) |
| KB109 | Mary Jo Gallagher | YES (KBMA5) |
| KB110 | Sinead Kelly | YES (KBMA5) |
| KB111 | Jim McLoughlin | YES (KBMA5) |
| KB112 | Helen O'Donnell | YES (KBMA5) |
| KB113 | Daniel O'Donnell | YES (KBMA5) |
| KB114 | Catherine O'Donnell | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|---------------------|--|
| KB115 | Marie O'Donnell | YES (KBMA5) |
| KB116 | Pat Boyce | YES (KBMA5) |
| KB117 | Breege McShane | YES (KBMA5) |
| KB118 | Aaron McShane | YES (KBMA5) |
| KB119 | Lee Byrne | YES (KBMA5) |
| KB120 | Malachy Byrne | YES (KBMA5) |
| KB121 | Patricia Byrne | YES (KBMA5) |
| KB122 | Shay Byrne | YES (KBMA5) |
| KB123 | Bridget Gallagher | YES (KBMA5) |
| KB124 | John Joe Gallagher | YES (KBMA5) |
| KB125 | Isobel McGeady | YES (KBMA5) |
| KB126 | Eamon Kelly | YES (KBMA5) |
| KB127 | Eileen Kelly | YES (KBMA5) |
| KB128 | Anna Burke | YES (KBMA5) |
| KB129 | Kelly Burke O'Neill | YES (KBMA5) |
| KB130 | Ryan O'Neill | YES (KBMA5) |
| KB131 | Christopher Burke | YES (KBMA5) |
| KB132 | Christopher Burke | YES (KBMA5) |
| KB133 | Dermot Gallagher | YES (KBMA5) |
| KB134 | Theresa Melly | YES (KBMA5) |
| KB135 | Edel Bergin | YES (KBMA5) |
| KB136 | Grace Gallagher | YES (KBMA5) |
| KB137 | Danny Gallagher | YES (KBMA5) |
| KB138 | Aine NiMurchu | YES (KBMA5) |
| KB139 | Jacinta Boyle | YES (KBMA5) |
| KB140 | Margaret McGlynn | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|--------------------------|--|
| KB141 | John Boyle | YES (KBMA5) |
| KB142 | Paul Kelly | YES (KBMA5) |
| KB143 | Jessica Kelly | YES (KBMA5) |
| KB144 | Jamie Kelly | YES (KBMA5) |
| KB145 | Michael McGlynn | YES (KBMA5) |
| KB146 | Declan Byrne | YES (KBMA5) |
| KB147 | Loretta Byrne | YES (KBMA5) |
| KB148 | Joanna Kelly | YES (KBMA5) |
| KB149 | Daniel McGlynn | YES (KBMA5) |
| KB150 | Marguerite McHugh | YES (KBMA5) |
| KB151 | R McGlynn | YES (KBMA5) |
| KB152 | Derek McHugh | YES (KBMA5) |
| KB153 | M McGlynn | YES (KBMA5) |
| KB154 | Shane McGlynn | YES (KBMA5) |
| KB155 | Michael McGlynn | YES (KBMA5) |
| KB156 | Dermot McGlynn | YES (KBMA5) |
| KB157 | Caroline Kelly | YES (KBMA5) |
| KB158 | Eamon Kelly | YES (KBMA5) |
| KB159 | Seamus Kelly | YES (KBMA5) |
| KB160 | Des McXXXXXX (Illegible) | YES (KBMA5) |
| KB161 | Tara Kelly | YES (KBMA5) |
| KB162 | Donna McGroarty | YES (KBMA5) |
| KB163 | John Kelly | YES (KBMA5) |
| KB164 | Paul Burke | YES (KBMA5) |
| KB165 | Dareena Melly | YES (KBMA5) |
| KB166 | Patrick Galvin | NO (OTHER) |
| KB167 | Rhiannon McConwayBoyle | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|-----------------------------|--|
| KB168 | Brendan Boyle | YES (KBMA5) |
| KB169 | Francis McAuley | YES (KBMA5) |
| KB170 | XXXXXX XXXXXXXX (Illegible) | YES (KBMA5) |
| KB171 | Christine McCollum | YES (KBMA5) |
| KB172 | Paul McCollum | YES (KBMA5) |
| KB173 | John McCollum | YES (KBMA5) |
| KB174 | Pamela McCollum | YES (KBMA5) |
| KB175 | James Irvine | YES (KBMA5) |
| KB176 | Patricia Watt | YES (KBMA5) |
| KB177 | Conleith Watt | YES (KBMA5) |
| KB178 | Jennifer McCambridge | YES (KBMA5) |
| KB179 | Eoin McCambridge | YES (KBMA5) |
| KB180 | Deborah McCollum | YES (KBMA5) |
| KB181 | L McCollum | YES (KBMA5) |
| KB182 | Danny McCollum | YES (KBMA5) |
| KB183 | Sharon Boyle | YES (KBMA5) |
| KB184 | John Boyle | YES (KBMA5) |
| KB185 | Darwin Watt | YES (KBMA5) |
| KB186 | Elisha Watt | YES (KBMA5) |
| KB187 | Mary McKenna | YES (KBMA5) |
| KB188 | Noeleen Boyle | YES (KBMA5) |
| KB189 | PJ McKenna | YES (KBMA5) |
| KB190 | John Boyle | YES (KBMA5) |
| KB191 | Shane Boyle | YES (KBMA5) |
| KB192 | Ronan Boyle | YES (KBMA5) |
| KB193 | Marial Foran | YES (KBMA5) |
| KB194 | Roisin McAndrew | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|-----------------|--|
| KB195 | Daniel McAndrew | YES (KBMA5) |
| KB196 | Gerard Dunn | YES (KBMA5) |
| KB197 | John Dunn | YES (KBMA5) |
| KB198 | Tom Dunn | YES (KBMA5) |
| KB199 | Mary Furey | YES (KBMA5) |
| KB200 | Maggie Keeney | YES (KBMA5) |
| KB201 | Carol Breslin | YES (KBMA5) |
| KB202 | Shaun Keeney | YES (KBMA5) |
| KB203 | Manus Crampsey | YES (KBMA5) |
| KB204 | Diane Crampsey | YES (KBMA5) |
| KB205 | Daniel McGee | YES (KBMA5) |
| KB206 | Laura Keeney | YES (KBMA5) |
| KB207 | Eimear Keeney | YES (KBMA5) |
| KB208 | Patricia Keeney | YES (KBMA5) |
| KB209 | John Keeney | YES (KBMA5) |
| KB210 | John Gallagher | YES (KBMA5) |
| KB211 | John Boyle | YES (KBMA5) |
| KB212 | Michael Boyle | YES (KBMA5) |
| KB213 | John Brennan | YES (KBMA5) |
| KB214 | Tracey Boyle | YES (KBMA5) |
| KB215 | Sean McGee | YES (KBMA5) |
| KB216 | Fiona Cannon | YES (KBMA5) |
| KB217 | John Cannon | YES (KBMA5) |
| KB218 | Laura Kearney | YES (KBMA5) |
| KB219 | Liam Kearney | YES (KBMA5) |
| KB220 | Ciara Boyle | YES (KBMA5) |
| KB221 | Padraig McKeon | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|-----------------------------|--|
| KB222 | Olivia McKeon | YES (KBMA5) |
| KB223 | Wayne mckeon | YES (KBMA5) |
| KB224 | Mary Boyle | YES (KBMA5) |
| KB225 | Margaret Mckeon | YES (KBMA5) |
| KB226 | David Boyle | YES (KBMA5) |
| KB227 | Rosie Cunningham | YES (KBMA5) |
| KB228 | Barry Cunningham | YES (KBMA5) |
| KB229 | Ryan Cunnigham | YES (KBMA5) |
| KB230 | Sheila Cxxxxxxx (illegible) | YES (KBMA5) |
| KB231 | Denise McGroary | YES (KBMA5) |
| KB232 | Sandra McGroary | YES (KBMA5) |
| KB233 | Tommy Doherty | YES (KBMA5) |
| KB234 | Rose Boyle | YES (KBMA5) |
| KB235 | John Callaghan | YES (KBMA5) |
| KB236 | Cathal Muxxxxxx (illegible) | YES (KBMA5) |
| KB237 | John O'Keefe | YES (KBMA5) |
| KB238 | Sheena O'keeffe | YES (KBMA5) |
| KB239 | Brid O'Keefe | YES (KBMA5) |
| KB240 | Alan O'Keefe | YES (KBMA5) |
| KB241 | Seamus McGuinness | YES (KBMA5) |
| KB242 | Susan mcGuinness | YES (KBMA5) |
| KB243 | Pamela O'Donnell | YES (KBMA5) |
| KB244 | Gary Murrin | YES (KBMA5) |
| KB245 | Mary lafferty | YES (KBMA5) |
| KB246 | Brendan Lafferty | YES (KBMA5) |
| KB247 | Desmond Lafferty | YES (KBMA5) |
| KB248 | Alanna Mchugh | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|--------------------------|--|
| KB249 | Martin McHugh | YES (KBMA5) |
| KB250 | Christina Gavigan | YES (KBMA5) |
| KB251 | Helena Gavigan | YES (KBMA5) |
| KB252 | Eamon Gavigan | YES (KBMA5) |
| KB253 | James Gavigan | YES (KBMA5) |
| KB254 | Declan Gavigan | YES (KBMA5) |
| KB255 | Lucy Lowrey | YES (KBMA5) |
| KB256 | Xxxxxx (illegible) Melly | YES (KBMA5) |
| KB257 | Marie O'Dwyer | YES (KBMA5) |
| KB258 | Louise Tuppin | YES (KBMA5) |
| KB259 | Shauna McNelis | YES (KBMA5) |
| KB260 | Colm Smith | YES (KBMA5) |
| KB261 | Tracey Whelan | YES (KBMA5) |
| KB262 | PJ McCafferty | YES (KBMA5) |
| KB263 | M McNelis | YES (KBMA5) |
| KB264 | Breena Coyle | YES (KBMA5) |
| KB265 | Donal Haughey | YES (KBMA5) |
| KB266 | Callum Quinn | YES (KBMA5) |
| KB267 | Danny Haughey | YES (KBMA5) |
| KB268 | Paul Cunningham | YES (KBMA5) |
| KB269 | Breege Haughey | YES (KBMA5) |
| KB270 | Martin Quinn | YES (KBMA5) |
| KB271 | Megan Quinn | YES (KBMA5) |
| KB272 | Theresa Quinn | YES (KBMA5) |
| KB273 | Alan McBrearty | YES (KBMA5) |
| KB274 | Kirsten Haughey | YES (KBMA5) |
| KB275 | Katelyn McBrearty | YES (KBMA5) |

| Submission Reference | Name | Proposed Material Alteration reference If related to Material Alteration, is the submission mapped? (Yes/No) |
|----------------------|--------------------|--|
| KB276 | Lorraine McBrearty | YES (KBMA5) |
| KB277 | Declan Haughey | YES (KBMA5) |
| KB278 | Debbie McNulty | YES (KBMA5) |
| KB279 | Maire Carberry | YES (KBMA5) |

Table A.2: List of submissions made by Prescribed Bodies

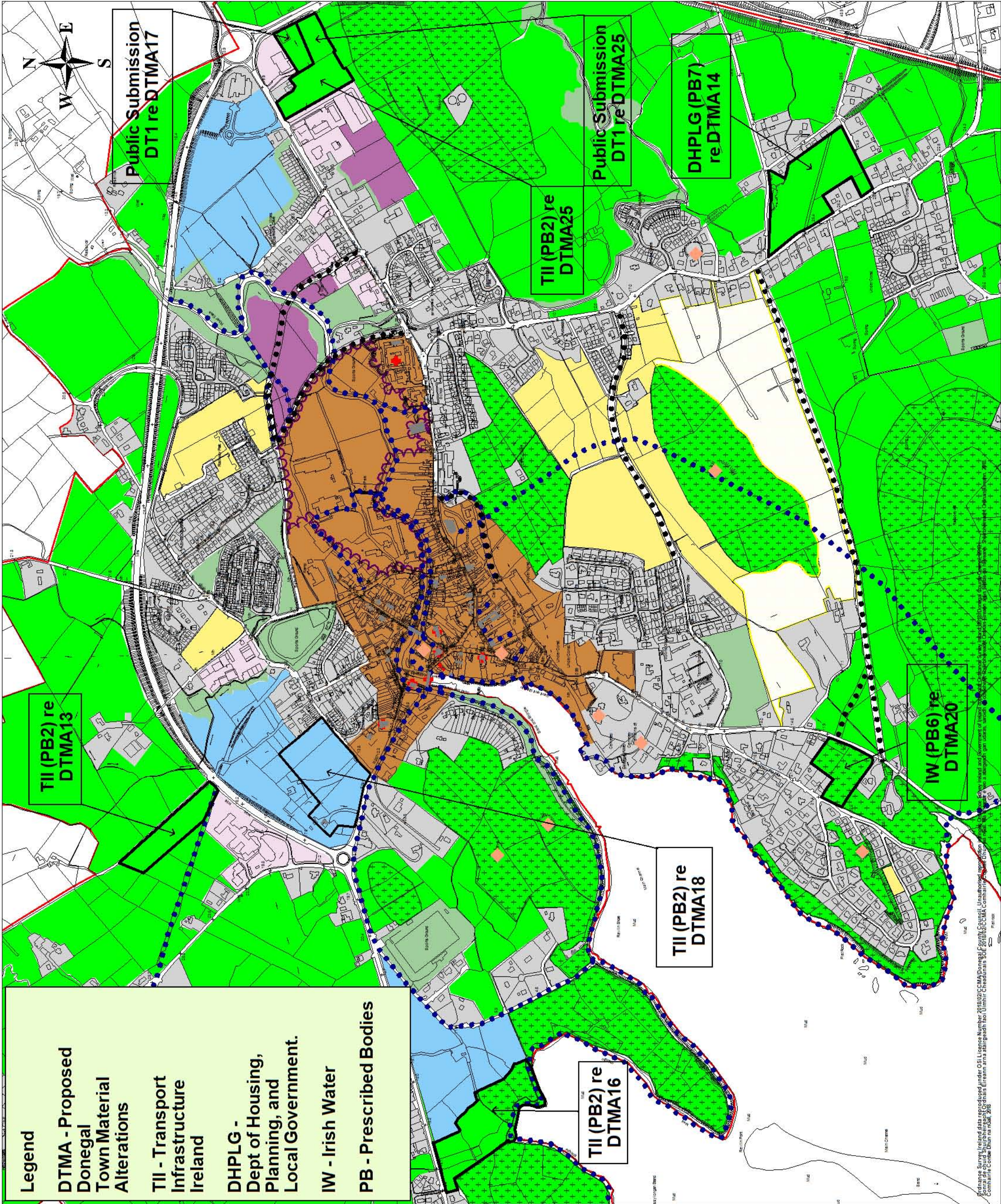
| Submission Reference | Name | Proposed Material Alteration reference if related to material alteration, is the submission mapped? (yes/no) |
|-----------------------------|--|---|
| PB1 | Department of Agriculture, Food and the Marine | YES (KBMA5) |
| PB2 | TII | YES (GENMA2, CLMA4, CLMA12, CLMA13, CLMA15, BSMA14, BYMA5, BYMA7, BYMA20, BYMA21, BYMA22, BEMA5, BEMA7, DTMA13, DTMA16, DTMA18, DTMA25) |
| PB3 | Derry City& Strabane & District Council | N/A |
| PB4 | Northern Ireland Environment Agency | N/A |
| PB5 | E.P.A | N/A |
| PB6 | Irish Water | YES (DTMA20, BYMA16) |
| PB7 | Dept of Housing, Planning and Local Government | YES (OPP Site 3, CLMA16, BYMA20, BYMA21, BYMA26, DTMA14) |
| PB8 | NWRA | N/A |

APPENDIX B

MAPS SHOWING SITE SPECIFIC SUBMISSIONS



Draft Seven Strategic Towns Local Area Plan: Chief Executive's Report Following The Period of Public Consultation On the Proposed Material Alterations Mapping of Submissions referring to Site Specific Issues Donegal Town

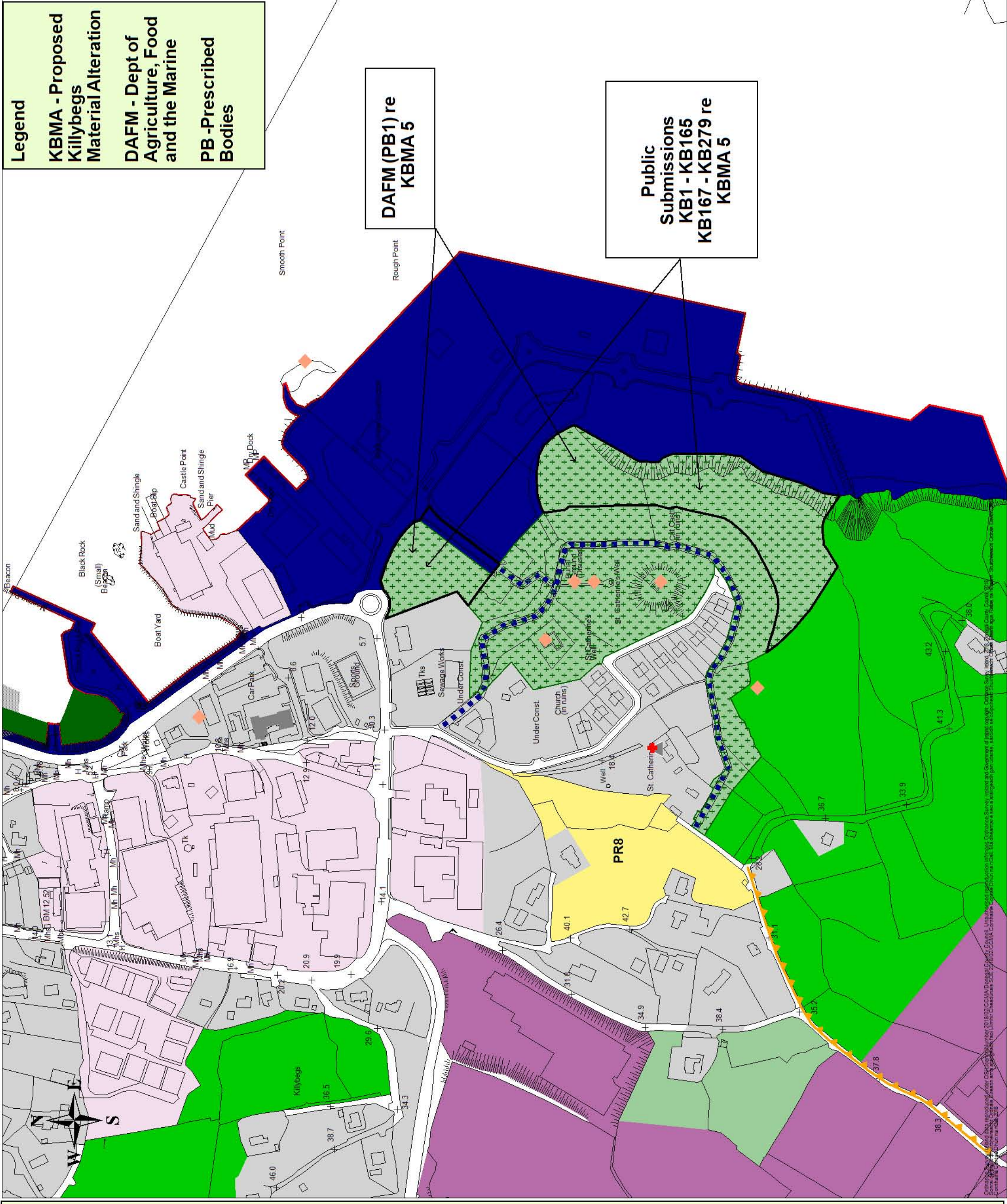


Legend
 DTMA - Proposed Donegal Town Material Alterations
 TII - Transport Infrastructure Ireland
 DHPLG - Dept of Housing, Planning, and Local Government.
 IW - Irish Water
 PB - Prescribed Bodies

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**Draft Seven
Strategic
Towns Local
Area Plan:
Chief
Executive's
Report Following
The Period of
Public
Consultation On
the Proposed
Material
Alterations
Mapping of
Submissions
referring to Site
Specific
Issues
Killybegs**



Legend
KBMA - Proposed Killybegs Material Alteration
DAFM - Dept of Agriculture, Food and the Marine
PB - Prescribed Bodies

DAFM (PB1) re KBMA 5

**Public Submissions
 KB1 - KB165
 KB167 - KB279 re KBMA 5**

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