

DRAFT DIRECTION IN THE MATTER OF SECTION 31

OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Letterkenny Plan and Local Transport Plan 2023-2029

“Local Area Plan” means the Letterkenny Plan and Local Transport Plan 2023-2029

“Planning Authority” means Donegal County Council

“RSES” means the Regional Spatial and Economic Strategy for the Northern and Western Region

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2023 (S.I. No. 116 of 2023), and consequent to a recommendation made to him by the Office of the Planning Regulator, hereby directs as follows:

(1.) This Direction may be cited as the Planning and Development (Letterkenny Plan and Local Transport Plan 2023-2029) Direction 2023.

(2.) The Planning Authority is hereby directed to take the following steps with regard to the Local Area Plan:

(a) Delete the following zoning objective from the adopted plan, i.e. the subject land is unzoned:

(i) PR17 Glencar Scotch and Killyclug – i.e. the subject lands change to unzoned from Primarily Residential.

(b) Reinstate the following zoning objectives and associated text to that of the draft plan:

(i) MA30(B) PR12 Creeve – i.e. the subject lands revert to Local Environment and Established Development from Primarily Residential

(ii) MA31 PR11 Killyclug – i.e. the subject lands revert to Local Environment from Primarily Residential

(iii) MA34 PR2 Castlebane – i.e. the subject lands revert to Local Environment from Primarily Residential

(iv) MA44 Ballymacool – i.e. the subject lands revert to Local Environment from Community and Education

(v) MA42 Bunnagee – i.e. the subject lands revert to Open Space from General Employment and Commercial

and apply all necessary consequential updates to the text of the plan consistent with the foregoing.

STATEMENT OF REASONS

- I. The Local Area Plan as made includes zoning objectives and material alterations to the draft Local Area Plan, which zone additional residential land in excess of what is required for Letterkenny as determined by the planning authority in the Local Area Plan in accordance with the growth targets for Letterkenny under RPO 3.7.20 and RPO 3.7.23 of the Regional Spatial and Economic Strategy (RSES). These zoning objectives and alterations are located in peripheral and non-sequential locations, some of which are outside the CSO boundary, and would encourage a pattern of development in particular locations which is inconsistent with the objectives of the County Donegal Development Plan 2018-2024 to implement a sequential approach to development (Objective UB-O-2 and Objective CS-

O-12) and RPO 3.7.22, RPO 3.1 and RPO 3.2 of the RSES for compact growth; would undermine the achievement of the RSES 'People and Places' Growth Ambition; and demonstrates that the Planning Authority has failed to have regard to the Development Plans Guidelines for Planning Authorities (2022) issued under section 28 of the Act.

- II. The Local Area Plan as made zones a circa 11.6 ha parcel of land for Community and Education, which zoning objective could accommodate a range of social, community and education uses. The land is located in a peripheral location largely outside the CSO boundary and in an area with poor accessibility. Furthermore, there are multiple other suitable zoned sites closer to the town centre and in areas within safe walking distance of local services and residential areas where such facilities could be provided. The material alteration is therefore inconsistent with the objectives of the County Donegal Development Plan 2018-2024 to implement a sequential approach to development (Objective CS-O-12), to promote sustainable development and transportation strategies in urban and rural areas (Objective CS-O-17), and the locational criteria for new social and community infrastructure/service related developments (Policy CCG-P-1), and would undermine the achievement of the RSES 'People and Places' Growth Ambition.
- III. The Local Area Plan as adopted zones land for vulnerable uses within flood risk zone A which has not been subject to and passed a plan making Justification Test. This zoning objective is inconsistent with the County Donegal Development Plan 2018-2024, in particular objective F-O-2, by not demonstrating a solid evidence base that the proposed land use zoning objective will satisfy the sequential approach to flood risk management. In this regard the Local Area Plan is not consistent with RPO 3.10 of the RSES, and fails to have regard to The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) issued under section 28 of the Act.

- IV. The Local Area Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under section 31AO of the Act.
- V. In light of the matters set out at I to III above, the Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area.
- VI. The Local Area Plan as made is not consistent with the objectives of the RSES contrary to section 19(2) and section 27(1) of the Act.
- VII. The Minister is of the opinion that the Local Area Plan as made is not consistent with objectives of the National Planning Framework, including National Policy Objective 33 and National Policy Objective 57.
- VIII. The Minister is of the opinion that the Local Area Plan as made fails to set out an overall strategy for the proper planning and sustainable development of the area.
- IX. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

Minister of State for Local Government and Planning

Day of Month, Year.