

Draft Letterkenny Plan and Local Transport Plan, 2023-2029

Chief Executive's Report On Submissions Received Re. Proposed Material Alterations

**Community Development and Planning
Services
Directorate**

5th October 2023



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

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1 INTRODUCTION

1.1 Background

Donegal County Council published the Draft Letterkenny Plan and Local Transport Plan 2023-2029 ('the Draft Letterkenny Plan') and associated environmental reports for public consultation during the period 6th January – 17th February 2023. The Chief Executive's Report on the submissions made during the consultation period was prepared and submitted to Elected Members on 30th March 2023.

Having considered the Chief Executive's Report and other associated documents at their plenary meetings on 10th May 2023 and 19th June 2023, the Elected Members decided to amend the Draft Letterkenny Plan. **The amendments included a total of 62 Proposed Material Alterations ('the PMAs') and these were made available for public inspection at Council offices and libraries from Friday 11th August 2023 to Friday 8th September 2023 (both dates inclusive).**

In accordance with Section 20(3)(h) of the Planning and Development Act 2000 (as amended) ('the Act') the Planning Authority published notice of the PMAs in local newspapers circulating in the area. The PMAs were also advertised via social media and the Council's website. They were also made available via the Council's online consultation portal at consult.donegal.ie

In addition, 2 No. consultation events were organised over the course of the public consultation period (Table 1.1 below refers), to allow interested parties to view and discuss the contents of the PMAs with Planning staff. These drop-in events were also advertised in the press, radio and on social media. Facilities were made available at the drop-in events for persons to make written submissions in relation to the PMAs should they so wish to do so.

Table 1.1 :

| Venue | Date and Time |
|---|---|
| Letterkenny Public Services Centre | Wednesday 16 th August 2023 4pm – 8pm |
| Letterkenny Public Services Centre | Wednesday 30 th August 2023 4pm – 8pm |

Under Section 20(3)(k) of the Act, not later than 8 weeks after publishing the above-noted Section 20(3)(h) notices, the Chief Executive is required to prepare a report on the submissions and observations received during the public consultation period and submit the report to the Members for their consideration.

1.2 Purpose And Content of The Chief Executive's Report.

In accordance with Section 20(3)(ka) and (l) this Report is required to:

- List the persons or bodies who made submissions or observations;
- Provide a summary of the issues raised by the persons or bodies in their submissions or observations;
- Provide a summary of the recommendations, submissions and observations made by the Office of the Planning Regulator; and
- Contain the opinion of the Chief Executive in relation to the issues raised and his recommendations in relation to the PMAs to the Draft Plan, including any change to the PMAs as he considers appropriate, taking account of the proper planning and sustainable development of the area, the

statutory obligations of the local authority and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

All of these requirements are addressed in Section 2 of the Report.

1.3 Next Steps

In accordance with the Sections 20(3)(m) of the Act, the Members are now required to consider the PMAs and the Chief Executive's Report.

In accordance with the Section 23(n) of the Act, following consideration of the Chief Executive's Report, the Plan shall be made or amended as appropriate by the Planning Authority by resolution no later than a period of 6 weeks after the report has been furnished to all the members of the authority with all, some or none of the PMAs as published.

Where the Planning Authority decides to make or amend the Plan or change any PMA, it shall be necessary for the passing of the resolution that it shall be passed by not less than half of the Members [Section 20(3)(o)(i) and (p) of the Act refers].

Where the Planning Authority is minded to change (or modify) any PMA, Members are advised that such further modifications [Section 20(3)(o)(ii) and (q) refers]:

- 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;
- shall not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the record of protected structures.

The Chief Executive's Report will be presented for formal consideration at a Special Plenary Council meeting on 13th November, 2023 with a view to making the Plan. A Municipal District level workshop has also been arranged for 23rd October, 2023.

1.4 PERFORMANCE OF MEMBERS' FUNCTIONS

Members are referred to Section 20(3)(r) of the Act wherein it is provided that:

'When performing their functions under this subsection, the members of the planning authority 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 of any Minister of the Government.'

1.5 Strategic Environmental Assessment

The Proposed Materials Alterations (PMAs) to the Letterkenny Plan were agreed in principle by the Elected Members at the Plenary Council Meeting of the 10th of May 2023. A subsequent Strategic Environmental Assessment (SEA) Screening Report concluded that the PMAs were likely to have significant environmental effects. Consequently, the Planning Authority determined that SEA of the PMAs was required in accordance with S.20(3)(f) of the Planning and Development Act 2000(as amended). The above Screening Report and a notice of the above determination was subsequently published on the Council’s website.

SEA of the PMAs was then undertaken by the Planning Authority in accordance with S.20(3)(i) of the above Act. The outcome of the SEA was contained in a revised Environmental Report (dated July 2023) wherein the resultant changes are presented as tracked changes (blue and red strikethrough text) and otherwise highlighted by blue boxes within the main assessment table. (Table 7.2). The key outcomes of said revised assessment can be broadly summarised as follows:

- Negative Effects for Climatic Factors for the following zoning changes:
- MA40 and MA41 Killyclug: rezoning from Local Environment to general employment and commercial.
- MA34 Castlebane: rezoning from Local Environment to Primarily Residential Site 2.
- MA31 Killyclug: rezoning from Local Environment to Primarily Residential Site 11.
- MA30 Creeve: rezoning from Local Environment to Primarily Residential site 12.
- MA29 Kiltyoy: rezoning from Local Environment to Primarily Residential Site 15.
- Negative Effects for Landscape for MA26 Glencar Irish: Increase size of Primarily Residential Site 6.
- Positive effects for a wide variety of material alterations on various environmental topics, for example those related to the Letterkenny Regeneration Strategy, flooding, active transport, and road improvements.
- No change in the assessment arising from several material alterations.

The revised Environmental Report was published on the Council’s website and made available at the Council’s offices and libraries during the public consultation on the PMAs which ran from Friday 11th August 2023 to Friday 8th September 2023. Furthermore, the statutory notice of the PMAs (published under S.20(e) of the said Act) also indicated that written submissions could also be made in respect of said revised Environmental Report.

In accordance with A.14H of the Planning and Development Regulations the Planning Authority is obliged to take account of said revised Environmental Report and any submissions on the Proposed Material Alterations before adopting the plan.

Two submissions received refer to the Environmental Report. These are addressed below.

| SUBMISSION | RESPONSE |
|--|---------------|
| Environmental Protection Agency Generic submission referring to the SEA process. | Noted. |
| Northern Ireland Environment Agency Advise that agency is: 'Content that the | Noted. |

| | |
|---|--|
| <p>environmental report and the process of consultation follow the SEA Directive.'</p> <p>Natural Environment Div.: '<i>Content that the modifications proposed are unlikely to have a significant effect upon the environment in NI given the location of the plan, the distance to the border and lack of ecological connectivity.</i></p> <p>Air Quality and Biodiversity Unit: Advise that if no adverse impacts of air pollutants on sensitive habitats, should be made clear.</p> <p>Inland Fisheries: Content, given the geographical area, there is unlikely to be any significant impact to fisheries interests within their jurisdiction.</p> | <p>Noted.</p> <p>Then issue of key sensitive habitats is addressed in the project's Natura Impact Reports. These reports did not raise any concern in this regard.</p> <p>Noted.</p> |
|---|--|

Following the making of the plan the Planning Authority shall prepare a SEA statement summarizing: how environmental considerations have been integrated into the plan, how the environmental report and any submissions have been taken into consideration, the reasons for choosing the plan in light of other reasonable alternatives and monitoring measures in accordance with A.14I of the Planning and Development Regulations 2001(as amended).

A copy of the Environmental Report has been uploaded to the Members' xtranet for Members' convenience.

1.6 Appropriate Assessment

Members are advised that **S.177V(1)** of the Act states that: '*An appropriate assessment carried out under this Part shall include a determination by the competent authority under Article 6.3 of the Habitats Directive as to whether or not a draft Land use plan or proposed development would adversely affect the integrity of a European site before (a) the draft Land use plan is made*'; and furthermore S.177V(3) states that: '*a competent authority shall make a Land use plan or give consent for proposed development only after having determined that the Land use plan or proposed development shall not adversely affect the integrity of a European site*'. A Draft Determination will be furnished to Members in advance of the Special Plenary meeting scheduled for 13th November, 2023.

The PMAs were subject to an Appropriate Assessment (AA) Screening carried by MKO Consultants. The associated AA Screening Report concluded, beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the PMAs individually or in combination with other plans and projects, will not have a significant effect on any European Site.

The Planning Authority therefore determined that Appropriate Assessment was not required in respect of the PMAs in accordance with S.20(3)(f) of the Planning and Development Act 2000(as amended).

1.7 Recommendation

It is recommended that the Members:

- a. Consider the Proposed Material Alterations and Environmental Report together with this 'Chief Executive's Report' in accordance with Section 20(3)(d) of the Planning & Development Act, 2000 (As Amended);
- b. Complete the Strategic Environmental Assessment process including taking account of the information contained within the Environmental Report, and the outcome of the associated consultation process;
- c. Complete the Appropriate Assessment with a view to making a determination as to whether or not the Draft Plan inclusive of agreed Material Alterations would adversely affect the integrity of any European site. These considerations should include taking account of the information contained within the Natura Impact Report, the outcome of the consultation process and the Draft Determination prepared by the Executive (the latter to be forwarded to Members under separate cover).
- d. Note the contents of the Strategic Flood Risk Assessment Report; and
- e. Having completed the steps set out in a, b, c, and d, resolve to make the Plan subject to the incorporation of the Proposed Material Alterations supported in the recommendations contained in Section 2.0 of this Report.



John G. McLaughlin
Chief Executive
Donegal County Council

2.0 RESPONSES AND RECOMMENDATIONS ARISING FROM SUBMISSIONS IN RELATION TO PROPOSED MATERIAL ALTERATIONS

PROPOSED MATERIAL ALTERATION MA1

Proposed Material Alteration:

Revise the narrative of the plan with respect to population projections/housing supply targets/zoned land provision (the key elements of this PMA are as per those noted in the 'Chief Executive Comments/Recommendation at Draft Plan Stage' (see below).

OPR Comments at Draft Plan Stage:

Noted that the Draft Plan was not consistent with the RSES populations and housing targets. Recommendation No. 2 required the Planning Authority to amend the population and housing targets to be consistent with the RSES population and housing growth targets, pro rata with the 6-year statutory local area plan period.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Acknowledged that the growth targets set out in the Draft LAP exceeded those of the NPF Implementation Roadmap and the RSES, and noted that this was primarily an attempt to stimulate the underactive housing market in Letterkenny. In light of the submissions, recommended:

1. Revised population growth targets to align with the NPF and RSES, thereby targeting a population growth of 5720 persons over the 2016 baseline by 2029 (the equivalent figure in the Draft Plan was 9881 persons by 2031);
2. Revised housing supply target of approximately 2300 units by 2029 taking into account:
 - i. the provisions of the NPF and RSES;
 - ii. the need to provide for future growth in Letterkenny; and
 - iii. the need to account for recent under-supply.
3. Revised housing land supply of a minimum of 57 hectares.

Members' Resolution at Draft Plan Stage:

To amend the population targets in relation to the Letterkenny Plan as per the recommendation, and to reference the need for a minimum of 57 hectares of residential land. However, Members further noted the need for additional housing lands in order to avoid restricting the supply of new housing development as a result of inactivity on any given site and to cater for other issues affecting housing demand, most notably the significant influx of displaced persons and international protection applicants that have taken up residence in the Letterkenny area. Text to this effect was therefore introduced into the Plan, thereby making a case for the zoning of additional lands over and above the 57 hectare calculated on foot of the amended population growth targets.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-6: Derry City and Strabane District Council (DCSDC)

Notes the recent cooperation between Donegal County Council and DCSDC in respect of projects such as the Regional Spatial & Economic Strategy (RSES), Metropolitan City Region Spatial Planning and a NW Energy Strategy, amongst other initiatives. Specifically, notes the adjustments to housing allocation and land supply targets and states that these alterations require no further comments from DCSDC.

DNCC-C17-11: Tom Phillips and Associates on behalf of Blake Burke Limited

Lengthy and detailed submission regarding the proposed extent of the Southern Strategic and Sustainable Development Site (SSDS). (The detailed issues raised in the submission are addressed in the section of the Report dealing with PMAs 14 and 22.)

Specifically re PMA1, submits that it will contradict Regional Policy Objectives RPO 3.1, RPO 3.2, RPO 3.7.20, RPO 3.7.22 and RPO 3.7.23 by hindering growth rather than promoting it. May prevent

sufficient provision of housing in Letterkenny and give rise to an uneven allocation of land in Letterkenny and thereby a lack of variety and locations, contrary to what was requested in the public consultation.

DNCC-C17-12: Laurence Blake Limited

Detailed submission regarding the proposed extent of the Southern Strategic and Sustainable Development Site (SSDS). (The detailed issues raised in the submission are addressed in the section of the Report dealing with PMAs 14 and 22). Specifically re PMA1, notes the submission made by Tom Phillips & Associates and advises that he concurs with all that has been written therein.

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

Notes that the PMA has now introduced a new context and narrative around the NPF & RSES. Also notes the reference to the lack of housing delivery in Letterkenny. Two further points of detail:

- a. Whereas the text of the PMA refers to RSES population projections, what is actually set out in the RSES is a population ambition/target.
- b. The table outlining residential sites by number would be improved if sites were identified by location as well as by number.

DNCC-C17-28: Robinson Family

Notes the PMA but the substantive points subsequently made are specifically regarding Opportunity Site 1 (Gortlee House). This submission is addressed in Section 3.2.

DNCC-C17-29: Uisce Éireann

States that 'It is envisaged that there is adequate wastewater treatment plant capacity to cater for the projected population increase to 2031 as outlined in Table 10.1'. However, also notes that the total quantum of proposed land zoned for residential purposes is now 171ha, with an equivalent potential housing yield of 6,000units, and advises that the high level of proposed residential zoning is likely to necessitate a greater level of upgrades to service. Contends that a more focussed approach would assist in forward planning for future infrastructure needs.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Generally satisfied that PMA1 responds to the requirements of Recommendation 2 of its submission and that the housing target and associated population yield would be consistent with the RSES. However, remains concerned that the extent of land zoned for residential use (Primarily Residential and Opportunity Site) is significantly in excess of that required to meet the housing targets and that many of the sites the Office identified under Recommendations 4 and 5 of its initial submission have not been amended as required (PR1, PR13, PR16, PR17, PR18 and PR22; and the decisions to continue to provide for residential development on Opportunity Sites 3 and 12, inconsistent with the OPR's recommendations). States that these matters will be reviewed by the Office in its consideration of the adopted LAP.

As regard the residentially zoned land provided for by the Proposed Material Alterations, the OPR makes specific recommendations (having regard, inter alia, to the regional growth targets for Letterkenny and the need for compact and sequential growth) in relation to PMAs 20, 29, 30(B), MA31, and 34. (These recommendations are addressed in the relevant sub-sections of Section 2 of this Report.)

DNCC-C17-31: Department of Education

The submission notes that MA1 sees a significant change in the 2031 projected populations from what was originally proposed at Draft LAP stage. These changes (along with the results from Census 2022) have prompted the Department to re-assess its future school place requirements for the town. In summary, the requirement for a potential future primary school site remains a possibility but the Department is no longer in a position to state that there is a new post-primary school site requirement. The projected growth figures will see an increase in post-primary school place demand but the Department envisages that this extra requirement can be facilitated through current school

capacity.

Chief Executive's Response:

The contents of all submissions have been noted and considered. PMA1 deals solely with the *narrative* of the Plan in relation to population ambitions/targets. The submissions summarised above reference the proposed changes to the narrative but in some cases also refer to site-specific matters. For clarity therefore, the matter of population ambition is addressed here, whilst site-specific issues are dealt with separately under the relevant 'PMA' responses below.

With specific regard to the narrative around population ambitions as outlined in PMA1, the concerns of Tom Phillips and Associates are noted. However, the generally positive and supportive comments of the OPR and NWRA are also noted. The text of PMA 1 therefore continues to be considered appropriate for inclusion in the Plan, subject to minor modifications (as suggested by the NWRA) to replace any references to RSES population projections with references to populations targets/ambitions.

Members will note that Table 10.3 as contained within PMA1 references the individual areas (in hectares) of all of the proposed residential sites within the plan boundary. Until such time as Members have made their final decisions in respect of residential sites however, it is not possible to refine that particular table. The recommendation below therefore only deals with the content of PMA 1 down to (and including) section 10.2.3, whilst Table 10.3 will be finalised pursuant to the decisions of the Council.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA 1 (i.e. Sections 10.2.1, 10.2.2 and 10.2.3), subject to minor modifications that replace any references to RSES population projections with references to populations targets/ambitions, and subject to Table 10.3 being amended as necessary to reflect the final zoning decisions of Members.

Note: Members are advised that if all recommendations of the Executive are followed, the housing land supply would be as follows –

Primarily Residential Lands - ~88.55 Ha

Opportunity Sites with potential for residential development - ~44.6 Ha

PROPOSED MATERIAL ALTERATION MA2

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|--|
| <p>Proposed Material Alteration: Revise tables, figures and site numbers as required, to accord with Material Alteration Ref. MA1</p> |
| <p>OPR Comments at Draft Plan Stage: Recommendation 2 of the OPR submission on the Draft Letterkenny Plan required the planning authority to amend the population and housing targets to be consistent with the RSES population and housing growth targets, pro rata with the 6-year statutory local area plan period only. Recommendation 3 required the planning authority to –</p> <p>(i.) review its determination of housing yield from proposed zoned lands in the draft LAP; and</p> <p>(ii) amend, on foot of point (i), the land use zoning areas proposed in the draft LAP, including the extent of new 'Primary Residential' and / or 'Opportunity Sites', consistent with the amendments to the housing targets under Recommendation 2.</p> |
| <p>Chief Executive Comments/Recommendation at Draft Plan Stage: The Chief Executive recommended that housing targets be amended to take into account the provisions of the NPF and RSES, the need to provide for future growth in Letterkenny and the need to account for recent undersupply in the housing market.</p> |
| <p>Members' Resolution at Draft Plan Stage: Members resolved to amend housing targets in line with details proposed under Material Alteration Ref. MA 1 above.</p> |
| <p>Submissions At Proposed Material Alterations Stage: No submissions received.</p> |
| <p>Chief Executive's Response: Proposed material alteration ref. MA2 is linked with MA1 and it will not be possible to finalise all tables, figures and site numbers until such time as Members have made their final decisions in respect of zoning provisions within the plan boundary.</p> |
| <p>Recommendation: That Members resolve to make proposed material alteration ref. MA2, taking cognisance of the Councils final decisions in respect of zoning provisions within the plan boundary.</p> |

PROPOSED MATERIAL ALTERATION MA 3

Proposed Material Alteration:

Revise the narrative, policies and associated text of the plan with respect to flood risk management.

OPR Comments at Draft Plan Stage:

Recommendation 14 of the OPR submission on the Draft Plan required the planning authority to review and amend the Strategic Flood Risk Assessment for the draft LAP, including to carry out the plan-making justification test for all lands proposed to be zoned to accommodate development vulnerable to flooding within areas at a high or moderate risk of flooding. The planning authority was required to either omit or appropriately amend (e.g. to water compatible use only) proposed zonings that do not meet the justification test. The SFRA report was to be amended to note already developed lands that do not meet the criteria of the plan-making justification test and the OPR recommended that a policy objective should be attached to those already developed lands in areas of flood risk, to limit development to that as outlined in section 5.28 of the Planning System and Flood Risk Management Guidelines (e.g. small infill developments, extensions, changes of use etc.). Recommendation 15 of the OPR submission on the Draft Plan required the planning authority to review its policies relating to sustainable surface water management and to consider how the implementation of nature-based solutions and green and blue infrastructure could help climate-proof Letterkenny.

Chief Executive Comments/Recommendation at Draft Plan Stage:

The Chief Executive noted and agreed with the recommendation to revise the SFRA report, particularly in the context of carrying out further justification tests for areas of Established Development that are at risk of flooding and in terms of updating the SFRA to have regard to the OPW's climate change scenarios. With regard to the town centre area, the Chief Executive's response noted that the advice from RPS Consulting Engineers as regards this area was unlikely to change and hence it was recommended that areas of the town centre that are at significant risk of flooding should be restricted in terms of their development potential.

Members' Resolution at Draft Plan Stage:

Members resolved to accept the recommendation of the Executive to review the Strategic Flood Risk Assessment (SFRA) report in consultation with RPS Consulting Engineers and prepare additional 'plan-making justification tests' as necessary in accordance with the provisions of the "Planning System and Flood Risk Management Guidelines for Planning Authorities".

Members also resolved to insert a policy into the Draft Plan in order to restrict certain development types within that part of the designated town centre that lies East of the Isle Burn and south of the Port Road, on account of potential flood risk. It should also be noted that the Resolution to proceed with this policy was agreed only after extensive debate amongst Members as to whether or not to proceed on this basis.

Further policy provisions were introduced to deal with Flood Zone B in the town centre, providing (inter alia) that highly vulnerable uses such as residential should be at first floor level in such areas and should also have provision for emergency access.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-6: Derry City and Strabane District Council (DCSDC)

DCSDC notes the proposed amendments to the flood risk management policies and advises that these policies require no further comment from DCSDC.

DNCC-C17-9: OPW

The OPW welcomes material alteration ref. MA 3 and the addition of policies LK-TC-P-10 and LK-TC-P-11. The OPW also welcomes where issues raised in the OPW commentary on the draft plan have

been addressed in the updated SFRA included at Material Alteration stage. With specific regard to Policy LK-TC-P-10 (part b.) and the reference therein to 'Expansion of the ATU campus', the OPW suggest that this policy could be updated to clarify that only expansion within the limitations set out in part 3 of Plan Making Justification Test 2.7 "Justification Test for ATU Site" would be appropriate. With regard to the reference to the Letterkenny 2040 Regeneration Strategy in Policy LK-TC-P-10 (part e.), the OPW suggest that it would be beneficial if the wording of part 'e.' of this policy were updated to clarify that while areas defined in the Letterkenny 2040 Regeneration Strategy such as C1. LK Green Connect and C2. Urban Wetlands would be acceptable, subject to the findings of a detailed site-specific flood risk assessment, less vulnerable development in Flood Zone A and highly vulnerable development in Flood Zones A or B would not be appropriate.

The OPW welcomes the addition of additional 'Plan Making Justification Tests' to cover areas highlighted in the OPW commentary on the draft plan, but notes that two of these additional tests, (for Established Development in Flood Zones A and B, and for General Employment and Commercial Zoning within Flood Zone B) are generic and cover the entire plan area. The submission states that the justification test only applies to lands "within or adjoining the core" of a settlement and would not therefore apply to sites on the periphery. As such, these generic justification tests cover zonings which have satisfied part 2(iii) of the test, but also zonings which have failed to satisfy this requirement and therefore do not pass the plan making justification test, without any distinction having been made between them.

The OPW submission notes that the mitigation measures outlined for areas of Established Development limits development to minor development (as outlined in Section 5.28 of the Planning System and Flood Risk Management Guidelines) and limits new development to water compatible in Flood Zone A and less vulnerable in Flood Zone B but contends that it would be beneficial if this were supported by a policy or objective in the plan.

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

With specific regard to MA3, the submission from the NWRA notes and welcomes the additional proposed text in the Draft Letterkenny Plan in relation to flood risk management in the town centre.

DNCC-C17-26: Paul Callaghan on behalf of PJ Callaghan

The writer contends that as CFRAMS data becomes used for the first time in Development Plans, there is little consistency in its application, with other local authorities taking a very different view on the usage of centrally located land in Flood Zone A. It is suggested that other local authorities are using justification tests to support the need to develop land in their major towns as part of the compact growth agenda, and that such an approach has been welcomed by the OPR and OPW. The submission notes that the Council approved permission for the development of the Social Enterprise Centre on its own land within Flood Zone A, adjacent to PJ Callaghan's land. It is contended that CFRAMS was in operation at that time but did not seem to present a barrier. The submission acknowledges that the revised zoning map makes it clear that all land west (sic) of the Isle Burn is impacted and notes that the Land Development Agency (LDA) has identified land adjacent to PJ Callaghans for large scale public development. The writer contends that it is highly unlikely that the LDA didn't consider the apparent flood risk when developing their plans and that it is more likely that they feel the flood risk can be mitigated through appropriate measures in due course. The submission requests an amendment to the text of the plan, to the effect that "*the restrictions on development in the area East of Isle Burn will be revisited when the Letterkenny Flood Relief Scheme has been implemented, and/or changes in relevant national policies*".

DNCC-C17-30: Office of the Planning Regulator

The OPR welcomes the response of the planning authority to in relation to flood risk management, with extensive material amendments included to the draft LAP under MA3 that help the planning authority better manage the serious risk of flooding on certain lands. However, the OPR considers it necessary to recommend amended wording to proposed policy LK-TC-P-10 to ensure consistency with the requirements of the Flood Guidelines. Specifically, the OPR requests that the planning authority-

- Update part b of policy LK-TC-P-10 under MA3 to clarify that it supports, in principle, the

expansion of Atlantic Technological University (ATU) only within the limitations set out in part 3 of Plan Making Justification Test 2.7, Justification Test for ATU Site; and

- Update part e of policy LK-TC-P-10 under MA3 to clarify that the areas defined in the Letterkenny 2040 Regeneration Strategy, such as C1. LK Green Connect and C2. Urban Wetlands, are acceptable subject to the findings of a detailed site-specific flood risk assessment, and that less vulnerable development in Flood Zone A and highly vulnerable development in Flood Zones A or B would not be acceptable.

Chief Executive's Response:

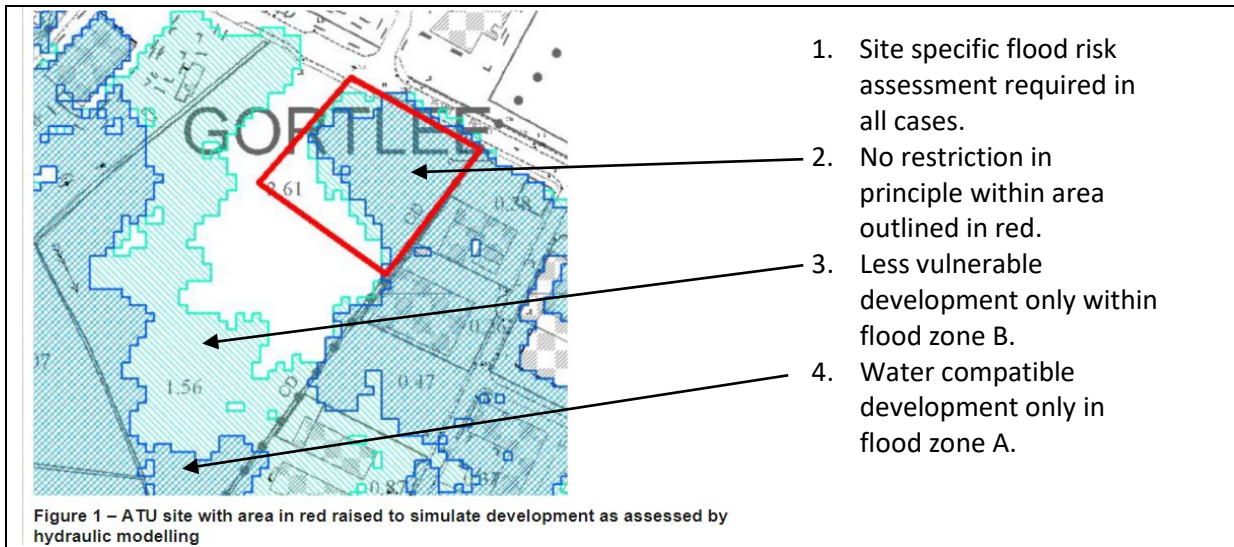
The contents of all submissions in respect of PMA 3 have been noted and considered. The general support for the proposed material alteration from the OPR, OPW and NWRA is acknowledged.

With regard to the OPW/OPR suggestions regarding amendments to policy LK-TC-P-10, Members are advised that the ATU lands to the south of the Port Road are considered to be an area of 'existing development', containing as they do a car park and solar panel installations (see image below). In accordance with proposed Section 12.3.4 of the Draft Plan therefore (see text under PMA3), it was always the intention that further development in this area would have been subject to the limitations recommended in the 'Justification Test for ATU Site' set out in appendix B of the Strategic Flood Risk Assessment that informs the Letterkenny Plan (see synopsis of limitations below). The submission from the OPW/OPR would introduce further clarity on this matter, in that it would see the policy text amended to explicitly reference the limitations recommended by the Justification Test. This is considered reasonable and would set out the policy position as regards these lands in a clearer fashion. Similarly, the comments in respect of development that might arise on foot of the LK 2040 Regeneration Strategy are considered reasonable in that the suggested revisions will provide added clarity for the reader - see recommendations below regarding these matters.

Image of existing development on ATU lands south of Port Road



Synopsis of Limitations Recommended following Justification Test



With regard to the submission from the Callaghans, it should be noted that CFRAMS is one of several baseline datasets from which planning authorities then develop their detailed strategic flood risk assessments. It is inevitable that with different local issues and the application of modelling etc., different policy responses will emerge across different local authorities notwithstanding apparently similar baseline data. The provisions of the 'Development Plan Justification Test' were in fact considered for this area; however, Members have been previously advised that the town centre area east of the Isle Burn would not pass said test, as there are suitable alternative town centre lands in areas at lower risk of flooding. Comments regarding the proposed Letterkenny Flood Relief Scheme are noted and the policy content of the Letterkenny Plan will be kept under review as that project advances; it is not considered however, that any amendments to the text of the plan are necessary in this regard.

With regard to the Social Enterprise Centre, the decision in respect of that project was made using the operative policy framework at that time, and as the lands were zoned 'Town Centre', the project was subject to the 'Development Management' Justification Test (which is distinct from the 'Development Plan' Justification Test) and to the rigours of a site-specific flood risk assessment. The planning authority is now faced with the more strategic-level question of whether a zoning that allows uses vulnerable to flooding should be retained in this area, having regard to the provisions of the Planning System and Flood Risk Management Guidelines. As noted above, the area east of the Isle Burn would fail to pass the Development Plan Justification Test, hence the policy recommendations that have been put forward by the Executive. In his submission, Mr Callaghan acknowledges that the new policy context is different, identifies different scenarios and defines a tailored policy approach for each of them. This approach is reasonable and an appropriate policy response to the SFRA evidence, the town centre zoning, the existence of long-established businesses and the strategically important ATU.

With regard to commentary in respect of the Land Development Agency, this is a matter for that particular body. The Planning Authority did raise flooding considerations when consulted by the LDA on this matter and these issues remain as material considerations in the assessment of any development proposals in this area.

With regard to the OPW comments concerning the use of generic justification tests for certain areas zoned 'Established Development' and 'General Employment and Commercial' that are not 'within or adjoining the core' of the settlement (which is the language used in the justification test), it is considered that the planning authority has had due and proper regard to the fact that the areas referred to are in many cases long-established commercial and/or residential areas contained within the plan area and that by applying the justification test, and by specifying that areas of Established Development will be subject to limitations as outlined in said justification tests (see draft Section

12.3.4 under proposed MA3), the planning authority has adopted a comprehensive approach to flood risk management.

Recommendation:

That the Members resolve to make the Letterkenny Plan and Local Transport Plan 2023-2029 with proposed material alteration ref. MA 3, subject to minor modifications to Policy LK-TC-P-10 set out below (proposed modifications coloured orange) –

Policy LK-TC-P-10: It is a policy of the Council to only support the principle of the following uses within that part of the designated town centre that lies East of the Isle Burn and south of the Port Road, subject to the findings of a detailed site-specific flood risk assessment as required:

a. Water-compatible development, as defined in the Planning System and Flood Risk Management Guidelines;

b. Expansion of the ATU campus, within the limitations set out in Part 3 of the plan-making justification test 2.7 'Justification Test for ATU Site', contained within the Strategic Flood Risk Assessment Report that accompanies the Letterkenny Plan;

c. Redevelopment/extension of existing commercial units in the area of Port Road/Joe Bonner Link Road where such developments are contained within the existing site, do not obstruct important flow paths, do not introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances and satisfy the Authority's urban design ambitions for the centre as set out in the Letterkenny 2040 Regeneration Strategy Masterplan;

d. Sustainable urban drainage systems and nature-based solutions for the management of rainwater and surface water runoff; or

e. Development that accords with the Letterkenny 2040 Regeneration Strategy, subject to the following -

(i.) Only water compatible development will be considered within Flood Zone A

(ii.) Highly vulnerable development will not be considered within Flood Zone B.

Comparison and convenience retailing and residential development will not be supported in these areas.

PROPOSED MATERIAL ALTERATION MA 4

Proposed Material Alteration:

- a. Insert new narrative to precede the land use zoning matrix to clarify the fact that notwithstanding an indication of broad acceptability for a particular land-use type within a given zoning, potential vulnerability to flooding will be a material consideration when assessing development proposals and in all cases the planning authority will apply the principles and guidance as set out in the 'Planning System and Flood Risk Management Guidelines for Planning Authorities.
- b. Amend the land use zoning matrix to change the classification of certain uses within areas zoned 'Town Centre' or 'Established Development', from Y-Acceptable in Principle to O-Open for Consideration.
- c. Amend the land use zoning matrix to clarify that use as a cemetery will be open for consideration in areas zoned as 'Local Environment'.

OPR Comments at Draft Plan Stage:

Related to points a. and b., noted that the 'plan-making justification test' had not been carried out and passed for several proposed land-use zonings within flood zones A and/or B that might accommodate vulnerable or highly vulnerable uses or development types.

Did not comment on the issue of cemeteries/graveyards at the draft stage of the plan-making process.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Agreed with the OPR's recommendation that further justification tests should be carried out for areas of Established Development that are at risk of flooding.

Did not comment on the Members' proposal to allow for cemetery use on 'Local Environment' lands (i.e. this issue was raised by Members following completion of the CE report).

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

Notes and welcomes the proposed amendments.

Chief Executive's Response:

The support of the NWRA in respect of PMA4 (points a. and b.) is noted. These amendments will provide additional clarity in relation to flood risk management within the plan area, particularly within areas of established development.

The proposal to allow, in principle, the development of cemeteries on lands zoned as Local Environment will give greater scope to the Planning Authority for the provision of such facilities in the future. It should be noted that an 'Open to Consideration' indicator in the land-use zoning matrix means that whilst proposals may be considered by the Planning Authority, the outcome of any such

proposal will be subject to, inter alia, detailed environmental and technical studies. Proposals for cemetery use in any given area should also ideally be the subject of comprehensive community consultation.

Recommendation:

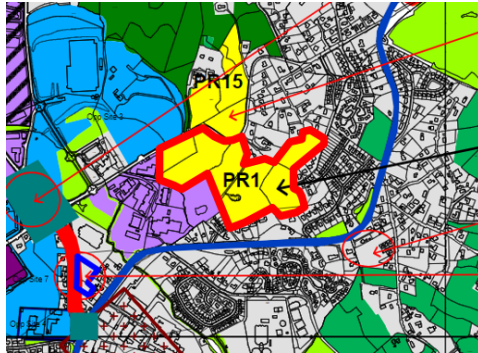
That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA4.

PROPOSED MATERIAL ALTERATION MA 5

Proposed Material Alteration:

Amend policy LK-H-P-9a(ii.) as follows-(new text in blue, deleted text in ~~red strikethrough~~):A well-lit and secure pedestrian, cycling and wheeling ~~only~~ link shall be provided to the south of the site, to link with the existing footpath running along the northern edge of Regional Road R245.

Image of site – PR 1



" Site subject of Material Alteration No. 5, requiring the provision of a pedestrian, cycling and wheeling link to the south of the site, to connect with Regional Road R245"

OPR Comments at Draft Plan Stage:

Did not comment specifically on the issue subsequently addressed in the PMA. Recommended that the zoning of site be amended from 'Primarily Residential' to either 'Strategic Residential Reserve' or 'Agriculture'.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that Members retain the 'Primarily Residential' zoning, contrary to the recommendations of the OPR.

Also recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response: See Recommendation below.

N/A

Recommendation:

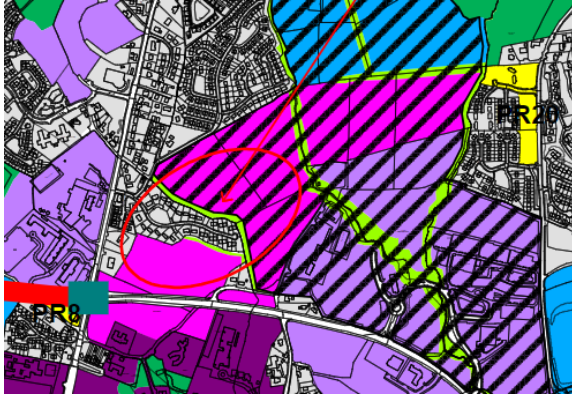
That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA MA 5.

PROPOSED MATERIAL ALTERATION MA 6

Proposed Material Alteration:

Amend footnote 14 that accompanies the zoning matrix as follows (new text in blue)—Proposals for residential development on lands zoned Strategic Community Opportunity shall only be considered where they comprise student accommodation. *Such accommodation must be located generally at the southern end of the Strategic Community Opportunity zoning so as to better facilitate active travel.* Proposals for other types of residential development will not be favourably considered on lands zoned Strategic Community Opportunity.

Image of site



Area generally subject of MA6, which would require student accommodation to be located at the southern end of the Strategic Community Opportunity zoning.

OPR Comments at Draft Plan Stage:

Observed that student accommodation should be located at the southernmost portion of the Strategic Community Opportunity lands.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Accepted the OPR's observation.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

See recommendation below.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 6.

PROPOSED MATERIAL ALTERATION MA 7

Proposed Material Alteration:

Amend footnote 10 that accompanies the zoning matrix as follows (new text in blue) –Developers are advised to note that professional services, where the services proposed are provided principally to visiting members of the public, will be directed to the defined town centre or to established neighbourhood centres, in accordance with the provisions of Policy LK-EDE-P-3 of this Plan. **Within the Strategic Community Opportunity zoning, office use shall be limited to offices that are ancillary to the primary uses acceptable in principle within this land use zone, namely School / Education, Playing fields, Cultural Uses / Library, Creche / Playschool and Community / Recreational / Sports.**

Image of site



OPR Comments at Draft Plan Stage:

Submitted an observation recommending the amendment as contained in the PMA.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Agreed with the the OPR.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-30: Office of the Planning Regulator

Welcomes the PMA.

Chief Executive's Response:

The PMA will ensure that any office development on the Strategic Community Opportunity lands is consistent with the primary uses envisaged thereon. The support of the OPR is noted.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 7.

PROPOSED MATERIAL ALTERATION MA 8

Proposed Material Alteration:

Amend policy CAM-LK-P-2 as follows (new text in blue)

Policy CAM-LK-P-2: It is a policy of the council to increase native tree coverage and pollinator friendly planting in Letterkenny by requiring the planting of suitable native trees and hedgerows and flowers as part of development proposals, at appropriate locations along public roads, residential streets, parks and other areas of open space, in order to enhance local biodiversity, visual amenity and sustainable nature-based surface water management and drainage approaches.

OPR Comments at Draft Plan Stage:

Recommendation 15 of the OPR submission required the planning authority to review and amend its policies relating to sustainable surface water management, including CAM-LK-P-2, to ensure that sustainable surface water drainage approaches and nature-based solutions will be implemented consistently throughout the settlement.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that the PMA be accepted by the Members.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-9: OPW

Welcomes the PMA.

Chief Executive's Response:

The OPW's support for the PMA is noted.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 8.

PROPOSED MATERIAL ALTERATION MA 9

Proposed Material Alteration:

Amend policy CAM-LK-P-6 as follows (new text in blue, deleted text in red-strikethrough)
Policy CAM-LK-P-6: It is a policy of the Council to require, save in exceptional circumstances, ~~the use of SUDS~~ that all proposals within public and private developments and within the public realm incorporate the use of SUDS as part of a nature-based approach to minimise and limit the extent of impermeable hard surfacing and paving and reduce the potential impact effects of flooding in accordance with 'Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document (2022)'.

OPR Comments at Draft Plan Stage:

Recommendation 15 required the planning authority to review and amend its policies relating to sustainable surface water management, including CAM-LK-P-6, to ensure that sustainable surface water drainage approaches and nature-based solutions will be implemented consistently throughout the settlement.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that the PMA be accepted by the Members.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:**DNCC-C17-9: OPW**

Welcomes the PMA.

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

Welcomes the PMA.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Notes that the PMA will contribute to the management of flood risk.

Chief Executive's Response:

The support for the PMA in submissions is noted.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 9.

PROPOSED MATERIAL ALTERATION MA 10

Proposed Material Alteration:

Insert the following new Objective into Section 12.4 of the Draft LAP (new text in blue)
CAM-LK-O-3: It is an objective of the council to ensure that flood risk management measures in Letterkenny consider and provide for effective climate change adaptation, as set out in the OPW Flood Risk Management Climate Change Sectoral Adaptation Plan (OPW 2019).

OPR Comments at Draft Plan Stage:

Provided broad commentary noting that it is vital that appropriate mitigation for climate change impacts is included in the LAP and also commenting on adaptation measures that could be implemented, such as avoiding development in areas prone to flooding in the future, providing space for future flood defences, specifying minimum floor level and setting specific development management objectives.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that the PMA be accepted by the Members.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

Welcomes the text that would be added by the PMA.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Notes that the new objective proposed under the PMA will contribute to the management of flood risk.

Chief Executive's Response:

The support for the PMA in submissions is noted.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 10.

PROPOSED MATERIAL ALTERATION MA 11

Proposed Material Alteration:

Amend policy LK-NBH-1 as follows (new text in blue, deleted text in red-strikethrough)

Policy LK-NBH-P-1: It is a policy of the council to:

- a. Support the principle of the creation of new amenity spaces, amenity corridors and natural biodiversity and wetlands systems adjacent to the River Swilly Corridor ~~subject to detailed considerations and~~. Such proposals shall include detailed consideration of the importance of, and the integration of, nature-based solutions for surface water management, in accordance with 'Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document (2022)', and be in line with relevant environmental designations, policies and standards contained in this plan and the CDP; and
- b. Generally require developments adjacent to the River Swilly to 'address' the river by means of incorporating new amenity spaces, amenity corridors, natural biodiversity and wetlands systems and publicly accessible active frontages, save in exceptional circumstances.

OPR Comments at Draft Plan Stage:

Recommendation 15 required the planning authority to review and amend its policies relating to sustainable surface water management, including policy LK-NBH-P-1, to ensure that sustainable surface water drainage approaches and nature-based solutions will be implemented consistently throughout the settlement.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that the PMA be accepted by the Members.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

See recommendation below.

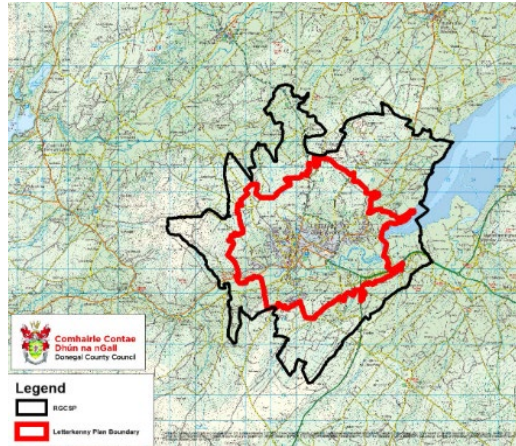
Recommendation: That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 11.

PROPOSED MATERIAL ALTERATION MA 12

Proposed Material Alteration:

Insert Regional Growth Centre Strategic Plan (RGCS) boundary into the plan and add additional narrative in relation to Letterkenny as a Regional Growth Centre.

Image showing Regional Growth Centre Strategic Plan boundary



OPR Comments at Draft Plan Stage:

The OPR noted that the settlement boundary for Letterkenny does not align with that of the RSES, contrary to Regional Policy Objective 3.7.24 of said document, and advised the planning authority to review the boundary selected for the draft LAP with a view to ensuring consistency with the objective of the RSES.

Chief Executive Comments/Recommendation at Draft Plan Stage:

The Chief Executive's report noted that the 'intervening lands' between the LAP boundary and the RGCS boundary are currently covered by the 'Area Under Strong Urban Influence' policy in the County Development Plan and advised that it was likely that this policy would continue in place pending adoption of the emerging County Development Plan, 2024-2030. The CE recommended however, that the RGCS boundary be inserted into the Draft Letterkenny Plan together with additional narrative in relation to Letterkenny as a Regional Growth Centre (see full text in report entitled 'Proposed Material Alterations to the Draft Letterkenny Plan and Local Transport Plan 2023-2029', ref. MA 12).

Members' Resolution at Draft Plan Stage:

Members resolved to accept the proposed material alteration.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

The submission from the NWRA notes that the Letterkenny Plan boundary has not been revised, and states that there is no clear explanation as to why the LAP does not reflect the Regional Growth Centre boundary. The submission states that the Regional Growth Centre Boundary was set out to take account of small areas, commuting patterns, and in the case of Letterkenny, 3 major National Schools, which are located on the outskirts of the Town. The submission goes on to state that Lurgybrack NS, Woodlands NS, and Illistrin NS have between them circa 1,500 pupils, and the Assembly believe the movement of traffic to and from these schools on a daily basis should form part of the Letterkenny LAP and indeed Local Transport Plan. It is stated that this has not been addressed in the Material Alterations and represents a missed opportunity with regard to achieving modal shift / sustainable travel.

Chief Executive's Response:

The submission from the Regional Assembly is noted and the benefits of the RGCSP boundary in terms of demonstrating the influence of the regional centre are acknowledged. However, and as outlined at the draft stage of the plan making process, the area outside the Letterkenny Plan boundary as currently defined is in effect treated as a rural area and the planning policy context for this area is set out in the County Development Plan. The planning authority does not envisage any significant development occurring outside of currently defined boundary and would have concerns that the definition of a more extensive boundary for the settlement may be counterproductive in terms of the future compact growth of Letterkenny. For this reason, it is considered that the RGCSP plan boundary should be retained in document to illustrate the influence of the town on commuting patterns etc.; however, no modifications to the Plan boundary are recommended herein.

Recommendation:

That the Members resolve to make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA 12.

PROPOSED MATERIAL ALTERATION MA 13

Proposed Material Alteration:

Insert an action into the plan in relation to the preparation of a Building Heights study and add additional narrative, as follows (new text in blue).

9.4.3 Building Heights

Regional Policy Objective 3.7.27 of the RSES supports the preparation of a building heights study to guide the future development of the regional centre, targeting minimum density rates of 50 units per hectare in the town centre and a default rate of 35 units per hectare elsewhere. This plan supports the delivery of such a study in the interests of delivering compact growth allied to a high-quality built environment; a specific action to deliver a building heights study is set out below.

Action LK-A-1: The Planning Authority will undertake a building heights study to guide the future development of the Regional Centre of Letterkenny.

OPR Comments at Draft Plan Stage:

No comments.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that a specific action be included in the Draft Plan, providing for the undertaking of a Building Heights Study under the umbrella of the Letterkenny 2040 Regeneration Strategy.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

Notes that the PMA sets out a commitment to undertake a building heights study for Letterkenny, but further notes that no timeline is identified. States that a time schedule for the publication / preparation of the building heights study should be included in the wording of the proposed action.

Chief Executive's Response:

The contents of the NWRA submission are noted. If Letterkenny is to grow as a Regional Centre, it is likely that a move towards higher and mid-rise buildings will be needed in certain parts of the town, particularly in the most central and accessible locations but perhaps also in more suburban areas. However, it will be necessary to ensure a proportionate response and to further ensure the protection of the existing historic fabric, character, amenities and natural heritage of Letterkenny. Given the need to strike an appropriate balance in this regard and the need to have an evidence base to inform decisions regarding building heights, the NWRA's suggestion regarding the inclusion of a timeframe within Action LK-A-1 is considered reasonable. Subject to resourcing requirements therefore, it is recommended that the planning authority undertake to complete a Building Heights Study for Letterkenny within 2 years of the adoption of the Letterkenny Plan.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 12, subject to the following modifications (modifications shown in green)

Action LK-A-1: The Planning Authority will undertake a building heights study during the lifetime of this Plan, to guide the future development of the Regional Centre of Letterkenny.

PROPOSED MATERIAL ALTERATION MA 14 AND 22

Proposed Material Alteration Ref. MA 14:

Amend the text of Section 10.7, relating to the Southern Strategic and Sustainable Development Site (SSDS), to take account of Material Alteration MA 22 (see full text in report entitled 'Proposed Material Alterations to the Draft Letterkenny Plan and Local Transport Plan 2023-2029', ref. MA 14)

Proposed Material Alteration Ref. MA 22:

Change the zoning of the southern part of the 'Southern Strategic and Sustainable Development Site' (i.e. the area south of the Leck Road) to Strategic Residential Reserve (see also MA 14 above for associated changes to the narrative and policies of the Plan).

Map of Lands subject of PMA 22 (lands outlined in red)



OPR Comments at Draft Plan Stage:

Requested (under Recommendation 14) that the Planning Authority prioritises development north of the proposed Southern Network Project (SNP) route and to zone lands to the south of the route as 'Strategic Residential Reserve'.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Generally agreed with the suggestion of the OPR that prioritising the northern side of the SSDS in the first instance would be beneficial in terms of compact growth and accessibility to the town centre. Recommended that the PMA be accepted by the Members.

Members' Resolution at Draft Plan Stage:

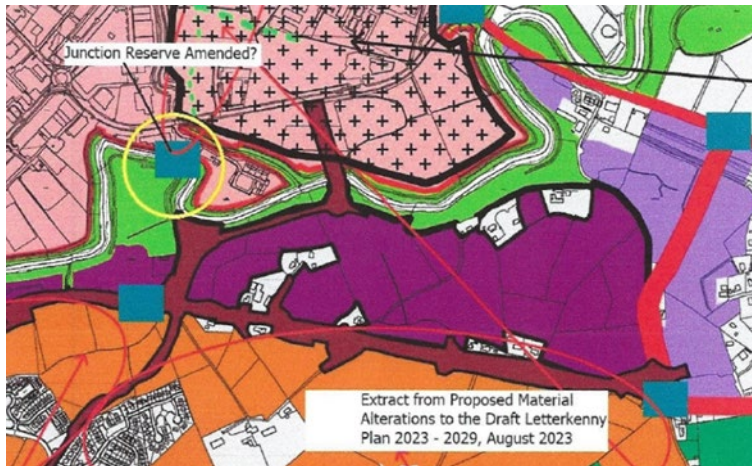
To accept both PMAs. It should also be noted that there was lengthy debate around a proposal not to accept the recommendation and to amend the designation to "Primarily Residential" as outlined in the original Masterplan. This was on the basis that Letterkenny did not have proper balance and that more development was needed on the south side of the River Swilly and that critical mass was needed to make the area viable and to take services, inclusive of a bridge, across the river.

Findings of Environmental Report in relation to the Proposed Material Alteration:

Submissions At Proposed Material Alterations Stage in respect of PMA 14:

DNCC-C17-2: Harley Planning Consultants Ltd. on behalf of Riverside Partnership

Refers specifically to the inclusion of a 'junction reserve' on the Draft Zoning Map (see image below, junction reserve circled in yellow). Contends that this junction reserve does not appear to have any relevance to the Local Transport Plan and may have been inserted in error, as a 'leftover' from the current Letterkenny Plan. Suggests that the identified junction reserve should be omitted from the final zoning map.



DNCC-C17-22: Northern and Western Regional Assembly (NWRA)

Refers to recommendation made at Draft stage to 'set a clear time-line for the delivery of critical infrastructure as well as a timeline surrounding the SSDS, and the associated infrastructure required to enable same be developed'. Notes the significant reduction in the proposed SSDS area. Also notes that the PMA 'retains a suite of infrastructure interventions necessary for the bringing forward of this site for delivery, however, there is no clear timeline associated with these works'.

Submissions At Proposed Material Alterations Stage in respect of PMA 22:

DNCC-C17-11: Tom Phillips & Associates on behalf of Blake Burke Limited

Refers specifically to PMA's 1, 14 and 22.

The sub-section of this Report dealing with PMA1 addresses the submission in the context of that PMA. Regarding PMA's 14 and 22, the following detailed points are raised.

It is submitted that the PMA would result in piecemeal delivery of housing and piecemeal infrastructure provision, resulting in greater unit costs, unclear timeframes for delivery, longer-term higher maintenance costs and challenges in terms of taking in charge of infrastructure in the future. Rather than designate the lands to the south of the Leck Road as Strategic Residential Reserve, it would be strategically beneficial for lands north and south of the Leck Road to be developed together as they could then share the infrastructure costs.

It is further contended that a failure to include lands south of the Leck Road within the SSDS would negatively impact on the ability of the remaining northern portion to fulfil its zoning objective (which will have consequences for the future growth of Letterkenny, in that reducing the size of the SSDS from 90 hectares to 34 hectares would reduce the possibility of incorporating childcare, schools, neighbourhood level retail and service uses into the scheme both in terms of lack of available land to build the amenities on but also in terms of the reduced population to substantiate the necessity of such amenities.

The submission notes that the RSES includes land on both the northern and southern sides of the Leck Road in its identification of the Southern Residential Neighbourhood area and argues that removing part of the SSDS would create a disconnect rather than linkages within the town.

It is further argued that removing part of the SSDS would make the Southern Network Project less viable and would contradict the NWRA submission on the Draft Plan.

The legality of the PMA, based on the OPR submission, is questioned and a legal opinion from senior counsel is included with the submission.

It is submitted that the proposed zoning of the southern portion of SSDS land as set out within the PMA is flawed and not in line with proper planning and sustainable development. The submission requests that the land remain zoned as part of the Southern Strategic and Sustainable Development Site.

DNCC-C17-12: Laurence Blake Limited

The writer objects to proposed material alteration MA14 (in conjunction with material alteration refs. MA1 and MA22), which seeks to reduce the extent of the SSDS from c.90 hectares to c.34 hectares and to zone lands on the southern side of Leck Road as Strategic Residential Reserve. The submission refers to separate objections that have been lodged on behalf of Blake Burke Ltd. by Tom Philips & Associates Ltd., supported by a legal opinion from Senior Counsel, and concurs with all that has been written in said submissions.

Makes reference to meetings that took place between representatives of the Council and the OPR and further notes that the OPR declined to take part in a workshop with the Elected Members in relation to the Letterkenny Plan on the basis that the plan preparation process was progressing at the time and the OPR considered that it would be inappropriate to participate in a workshop given that the OPR has a statutory assessment role in respect of the plan.

Expresses 'bewilderment with the manner in which the proposed alterations relating to the SSDS were approved for publication by the County Council which we are led to believe was unprecedented'. Goes on to note their understanding that: 'eight of the ten Councillors in the MD did not wish to have the lands on the southern side of the Leck Road removed from the SSDS and be rezoned as Strategic Residential Reserve'.

Wishes to 'place on record, in the event of the material alterations referred to being approved by your Council and the plan adopted as such, ... will be left with no option but to instigate a legal challenge against the plan through judicial review proceedings.'

DNCC-C17-30: Office of the Planning Regulator (OPR)

Welcomes the proposal to amend the lands south of Leck Road from SSDS to Strategic Residential Reserve.

Chief Executive's Response:

The submissions from the private sector would appear to raise five issues and these are addressed below.

Piecemeal development: It is difficult to accept the contention that the development of an area of well over 30 hectares should be regarded as 'piecemeal development'. Expanding the SSDS area to include south of Leck Road presumably would lead to reduced unit costs, as alluded to in the submissions. However, whether even such an expanded scale of development would make it viable for private developers remains questionable. For that reason, in Chapter 6: 'Strategic Infrastructural Deficits' of the Plan, the Authority confronts these challenges with the following commentary:

| Southern Strategic and Sustainable Development Site | | |
|---|---|-------------------|
| Undeveloped area located immediately adjacent to town centre due, at least in part, to absence of public services (water and sewer), bridge crossings over River Swilly and deficiencies in local road network. | Advance provision of drinking water and wastewater infrastructure to be pursued with Irish Water. | IW, DCC and DHLGH |
| | Pursue funding to deliver Southern Network Project road scheme. | DCC and DoT |
| | Advance provision of bridge crossing to be pursued with DHLGH. | DCC and DHLGH |

It should be noted that the intention would be to ensure that infrastructure is designed and scaled etc. for the long term to build in capacity for both north, and south, of Leck Road.

Schools, Childcare, Neighbourhood Centre: It is difficult to be precise about at what point the development would attain the critical mass to support these services but it is considered reasonable to expect that the overall scale of development achievable north of Leck Road area will be adequate to support the provision of such services in the medium-term given, for example, that the population would be of the order of 50% of Ballybofey/Stranorar. Policy LK-H-P-10, Table 10.3: 'Principle for layout masterplan to guide the development of the area' includes, inter alia, the following:

Vision: To create a plan-led, diverse urban neighbourhood to the immediate south of Letterkenny town centre; incorporating residential uses, neighbourhood level retail services, schools, community buildings and amenities.

Would Contradict NWRA Submission at Draft Plan Stage: This is not elaborated on in the submissions. The referenced NWRA submission at Draft stage has been reviewed and it is not apparent where this concern around being contradictory is derived from. The NWRA submission at this PMA stage does not question the principle of the approach contained in the PMA.

Would Make Southern Network Project (SNP) Less Viable: Having regard to the overall projected housing requirements for the town, and to the capacity potentially available in the more sequentially favourable north of Leck Road, it is considered premature to support development south of the Road in advance of the SNP. The SNP design is currently under review and at Phase 2 (Option Selection) stage. If there are material changes to the current route as identified in the LAP, it is likely that a formal Amendment to the LAP will be required. This Amendment would allow for a review of lands impacted by the revised design.

The suggestion of the NWRA to the effect that timelines for the delivery of infrastructure should be included in the plan are acknowledged, however it is not possible to be definitive in this regard at the present time.

As regards comments regarding the manner in which the proposed alterations relating to the SSDS were approved for publication by the County Council, I would simply note that the published map depicting the proposed material alterations reflects the decisions of the Council following the special plenary meetings of 10th May and 19th June 2023.

Finally, in relation to the submission from Harley Planning Consultants Ltd. in respect of the 'junction reserve' identified above, Members are advised that this reserve was indeed included in error and will be removed from the final map. This is considered to be a non-material alteration to the plan.

Conclusion

Including south of Leck Road would result in an overall area of around 90 hectares (more than 50% greater than the projected requirement for the entire town). The lands to the north of the road alone would provide almost 60% of the projected 57 hectares required. For further context, these lands could accommodate a scale of development around 50% of the scale of Glencar in terms of unit numbers. The lands to the north are undoubtedly preferable from a sequential point of view, not just

in terms of their closer proximity to the town centre, but also having regard to the higher elevation of the lands south of Leck Road.

The recommendation below is made having regard to the aforementioned, to the earlier comments above, and to the Recommendation of the OPR to retain the PMA.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Refs. 14 and 22.

PROPOSED MATERIAL ALTERATION MA 15

Proposed Material Alteration 15:

Section 9.3, Town Centre Development Management (sub-section 9.3.2.1) - Insert new objectives to read as follows (New text coloured blue) and renumber other objectives as necessary

Objective LK-TC-O-05: To bring the concept proposals contained in the Letterkenny 2040 Regeneration Strategy through the processes of detailed design, stakeholder engagement and any required statutory approval processes and thereafter to deliver on the collaborative vision of the Strategy.

Objective LK-TC-O-06: To develop an active land management register and database, which shall include mapping of brownfield and other lands, such as vacant, under-utilised or large undeveloped sites, tracking progress on planning applications and identification of barriers to development, with the aim of promoting and co-ordinating development on the lands identified.

Objective LK-TC-O-07: To reduce vacancy and dereliction levels in Letterkenny by 50% over the lifetime of the Local Area Plan via the uptake of public funding mechanisms and schemes and through the encouragement and support of private sector investment.

OPR Comments at Draft Plan Stage:

The OPR required (under Recommendation 16 of their submission on the Draft Plan) that the Planning Authority amends the Draft Plan to include –

- (i.) objectives to implement the Letterkenny 2040 Regeneration Strategy integrated with other objectives for town centre development;
- (ii.) specific active land management objectives, policies and measures or actions tailored to address building and site vacancy; and
- (iii.) measurable targets for the reduction of vacancy for the plan period and a strategy for the monitoring of same

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted, in the addendum to the Chief Executive's report (discussed at the Special Council Meeting of 10th May), that the Planning Authority has significant ambitions for the regeneration and revitalisation of Letterkenny town centre, and indeed that considerable progress has already been made as regards interventions in the town centre area on foot of Letterkenny 2040, both in terms of successful funding applications under the URDF, and in terms of projects commencing on the ground. It was further noted that the Letterkenny 2040 Regeneration Strategy as currently drafted is a non-statutory document, but the concepts therein are nonetheless considered critical to guide the future sustainable development of the town centre. For these reasons, the recommendations of the OPR were agreed. It was therefore recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-26: Paul Callaghan on behalf of PJ Callaghan

With specific reference to the potential wetlands mentioned in the LK 2040 Regeneration Strategy, the submission notes that the OPW have been informed that the main flood risk in this area is not a

coastal event that sweeps onto these fields, or even the bursting of the Swilly's banks, rather it is the lack of adequate maintenance of Isle Burn. It is contended that taking 9 acres of someone's land to solve a problem of someone else's creation is not a reasonable or fair solution. With regard to the LK Green Connect project, the submission sets out support for the objective to open up the area concerned for public use; however, it is suggested there has been no direct dialogue in relation to the intended routes for this project, which crisscross PJ Callaghan's land. The writer argues that the route seems to be predetermined, that the landowner's rights appear to be a non-consideration and that An Bord Pleanála will merely rubber stamp whatever is placed in front of them. The submission also raises concerns that the Council could have made a commercial offer for the land when the LK Green Connect proposals were first published in 2021, but instead the focus since then appears to have been to convince local councillors to restrict zoning on the land impacted by LK Green Connect, in advance of what will likely become a Compulsory Purchase Order for that very same land in 2024. The writer notes that the landowners remain open to discussions on these projects but will not be bullied, which is the current perspective of what is happening. The submission raises concerns that the overall process involved 'raises profound questions around public rights, conflicts of interest in local government and the principle of basic respect for the individual'.

Chief Executive's Response:

I note the concerns of Mr. Callaghan's around the relationship between the plan-making process on the one hand, and the LK Green Connect project, on the other. In response, I would advise that these are two completely separate processes and any assertions otherwise are entirely refuted.

The town centre flooding-related policy recommendations have been informed only by national planning guidelines, the Strategic Flood Risk Assessment and the comments of the OPR and OPW. The LK Green Connect project has had no influence whatsoever on this part of the Plan.

Regarding the timing of the LK Green Connect project I would comment as follows. Firstly, the creation of a green link between the area in which the PSC is now situated and Pearse Road has been a long held ambition of the Council going back as far as the 2004 Plan in which the 'Urban Design Brief' first appeared. The route identified in the LK Regeneration Strategy was a refinement of the originally identified route, but no more than that. The public consultation event in 2021 was intended to inform the public, including potentially affected landowners. Detailed consultations with landowners confirmed as being impacted by the project are most appropriately conducted when detailed designs begin to emerge. The Regeneration Unit recently commenced work to prepare a Part 8 Proposal for Phase 2 which will link from the Isle Burn (for which Part 8 has already been secured) to Pearse Road. On that basis, it is intended to begin to engage with landowners in the coming weeks, with publication of the Part 8 to follow thereafter.

Finally, it should also be noted that there are practical issues impacting on the timing of the delivery of this project, inclusive of detailed consultations with landowners, including: the timing of the release of central funding streams; the length of time required to assemble funding applications; the need to devote resources to other key and complex elements of the overall Strategy (eg. the former ESB site development; and the transport hub) as well as the LK Green Connect project.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with Material Alteration Ref. MA 15.

PROPOSED MATERIAL ALTERATION MA 16

Proposed Material Alteration 16:

Section 9.3, Town Centre Development Management (sub-section 9.3.2.2) –

Insert new policies to read as follows (New text coloured blue) and renumber other policies as necessary

Policy LK-TC-P-01: It is a policy of the Council to support the ambitions of the Letterkenny 2040 Regeneration Strategy.

Policy LK-TC-P-02: It is a policy of the Council to require that development proposals within the town centre are broadly consistent with, and would not prejudice the delivery of, the Letterkenny 2040 Regeneration Strategy.

Amend policy LK-TC-P-08 as follows (new text in blue) -

Policy LK-TC-P-08~~6~~: It is a policy of the Council to require that development proposals within the town centre area conform to the following design criteria:

- Proposals shall have regard to the Letterkenny Design Guide and the Linkages & Public Space Action Plan, prepared as part of the Letterkenny 2040 Regeneration Strategy
- Proposals shall provide for distinctive buildings of high architectural quality, which contribute to a distinct sense of place and a quality public realm
- Building lines shall be such that a sense of enclosure is provided to the streetscape (i.e. following established building lines where appropriate or moving the building line closer to the road edge if deemed necessary in order to better define the streetscape)
- Proposals shall promote visual interest through modulation and detailing of architectural elements (e.g. variation in building elevations, variations in roof form, cornices, windows, eaves, frontages and entrances and minor variations in setback).
- Proposals shall provide for minimum 3-storey development along the Pearse Road and 2 Storeys elsewhere in the town centre.
- Proposals shall avoid the use of industrial type cladding on the exterior of buildings
- Proposals for refurbishment and restoration of vernacular buildings must respect the character of the existing buildings, important views and spaces and historic settlement pattern in terms of scale, height, density, grouping, design and materials
- Proposals shall be accompanied by a design statement clearly outlining the rationale behind the concept and chosen design approach
- Proposals shall comply with all relevant statutory planning guidelines

OPR Comments at Draft Plan Stage:

Required (under Recommendation 16) that the Planning Authority amend the Draft to include objectives to implement the Letterkenny 2040 Regeneration Strategy integrated with other objectives of the draft LAP for the town centre development.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted, in the addendum to the Chief Executive's report (discussed at the Special Council Meeting of 10th May), that the Planning Authority has significant ambitions for the regeneration and revitalisation of Letterkenny town centre, and indeed that considerable progress has already been made as regards interventions in the town centre area on foot of Letterkenny 2040, both in terms of successful funding applications under the URDF, and in terms of projects commencing on the ground. It was further

noted that the Letterkenny 2040 Regeneration Strategy as currently drafted is a non-statutory document, but the concepts therein are nonetheless considered critical to guide the future sustainable development of the town centre. For these reasons, the recommendations of the OPR were agreed. It was therefore recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received. However, Members are advised that Submission DNCC-C17-26 – Paul Callaghan on behalf of PJ Callaghan is relevant in that, whilst it did not specifically reference this PMA (the submission referenced PMA 15 only), the concerns expressed in the submission are also relevant to PMA 15. Members are also advised that, in any event, the concerns of Mr Callaghan are fully considered in the response in PMA 15.

Chief Executive's Response:

N/A

Recommendation:

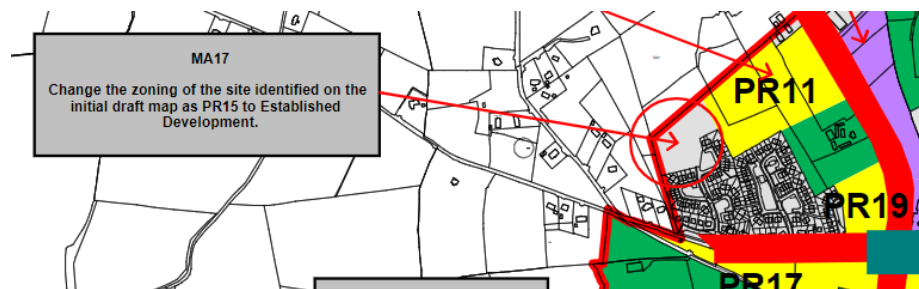
That Members resolve to make the Letterkenny Plan and Local Transport Plan with Material Alteration Ref. MA 16.

PROPOSED MATERIAL ALTERATION MA 17

Proposed Material Alteration:

Change the zoning of the site identified on the initial draft map as PR15 to Established Development.

Image of site



OPR Comments at Draft Plan Stage:

Recommended that the planning authority amend the zoning of site PR15, from 'Primarily Residential' to either 'Strategic Residential Reserve' or 'Agriculture'.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that the site be rezoned as 'Strategic Residential Reserve'.

Members' Resolution at Draft Plan Stage:

At the Council meeting of 10th May 2023 it was noted that development on this site was in fact well underway and Members therefore resolved not to accept the recommendation and instead zone the site as 'Established Development'.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

See recommendation below.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 17, having regard to the extent of works already completed on-site,.

PROPOSED MATERIAL ALTERATION MA 18

Proposed Material Alteration:

Change the zoning of the site identified on the initial draft map as 'Opportunity Site' 7 to 'Primarily Residential' Site PR9;

Delete Policy LK-OPP-P-7 and associated text and renumber subsequent policies as required; Delete entry relating to the original 'Opportunity Site 7' from Table A2 (infrastructural assessment) and renumber subsequent entries as required.

Image of site



OPR Comments at Draft Plan Stage:

Recommended that the site in question be zoned as 'Primarily Residential'.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted the proximity of the site to the town centre and accepted the OPR's recommendation to zone the site as 'Primarily Residential'.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-29: Uisce Éireann

Notes that sewers pass through the site and that these assets must be protected or diverted as necessary. Any site layout should take account of the existing sewer location.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Welcomes the PMA.

Chief Executive's Response:

The contents of the submission from Uisce Éireann are noted and may be addressed by way of the insertion of a 'Key Considerations' section for the site in the Plan's Housing chapter similar to other such sections already contained in the Draft Plan. This is considered to be a minor modification.

The support of the OPR is noted.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 18, subject to the inclusion of the following 'Key Considerations' text: (new text in green):

- Require the submission of an appropriately detailed Flood Risk Assessment; and
- The protection or diversion of public sewers passing through the site to the satisfaction of the

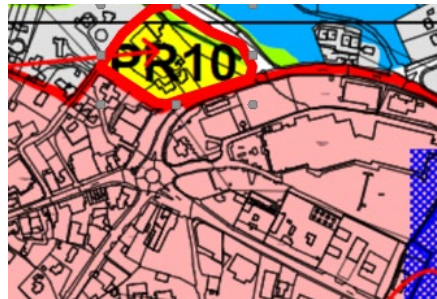
Planning Authority

PROPOSED MATERIAL ALTERATION MA 19

Proposed Material Alteration:

Change the zoning of the site identified on the initial draft map as Opportunity Site 11 to 'Primarily Residential' Site PR10;
 Delete Policy LK-OPP-P-11 and associated text and renumber subsequent policies as required;
 Delete entry relating to the original 'Opportunity Site 11' from Table A2 (infrastructural assessment) and renumber subsequent entries as required.

Image of site



OPR Comments at Draft Plan Stage:

Recommended that the site in question be zoned as 'Primarily Residential'.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted the proximity of the site to the town centre and accepted the OPR's recommendation to zone the site as 'Primarily Residential'.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-14: Phil Boyle, Twin Estates London Ltd.

Requests that the current zoning on the site (i.e. Opportunity Site zoning) be retained.

DNCC-C17-25: O'Connor Burke Architecture on behalf of Donal Gallagher, Twin Estates London Ltd.

Objects to the PMA on the basis that the site has always been a site of commercial activity and the proposal to zone the lands for Primarily Residential use will limit its potential to deliver for the proper planning and sustainable development of Letterkenny. It is contended that the PMA is simply seeking a 'quick fix' to deliver residential development to address an immediate need rather than looking at the site through the lens of what is best for Letterkenny, which is a mixed-use development. The central location, accessible nature and brownfield characteristics of the site are highlighted.

Requests that that the PMA is not made as proposed and requests that the original policy provision in the Draft Plan is retained so that an appropriate mixed-use development can be facilitated, which could include residential but would not be limited to residential. It is argued that limiting the site to residential use only would be a missed opportunity for the delivery of a mix of land uses that would provide for a sustainable and accessible development of scale for Letterkenny.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Welcomes the PMA.

Chief Executive's Response:

The contents of all submissions in respect of PMA 19 have been noted and considered. Having reflected on the previous commercial use of these lands (i.e. this site was formerly occupied by the

Oatfield confectionary plant) it is considered that the subject lands offer considerable potential for mixed-use development adjacent to the town centre of Letterkenny. Whilst it is certainly desirable to provide for housing in close proximity to town centre areas, it is generally considered that restricting use on this site to solely residential may in fact unduly constrain its development. A mixed-use development at this location may in fact serve to bring increased vibrancy to the area and cater for both residential and employment uses, thus achieving twin aims of having a resident population with easy access to the town centre and of increasing the commercial vitality of central areas. In light of these considerations therefore, it is considered that an Opportunity Site zoning, as set out in the original Draft Plan, would be a more suitable zoning designation at this location as opposed to a solely residential use.

Recommendation:

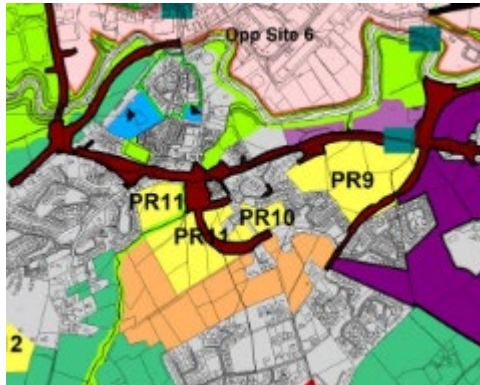
That Members resolve to make the Letterkenny Plan and Local Transport Plan without PMA Ref. MA 19.

PROPOSED MATERIAL ALTERATION MA 20

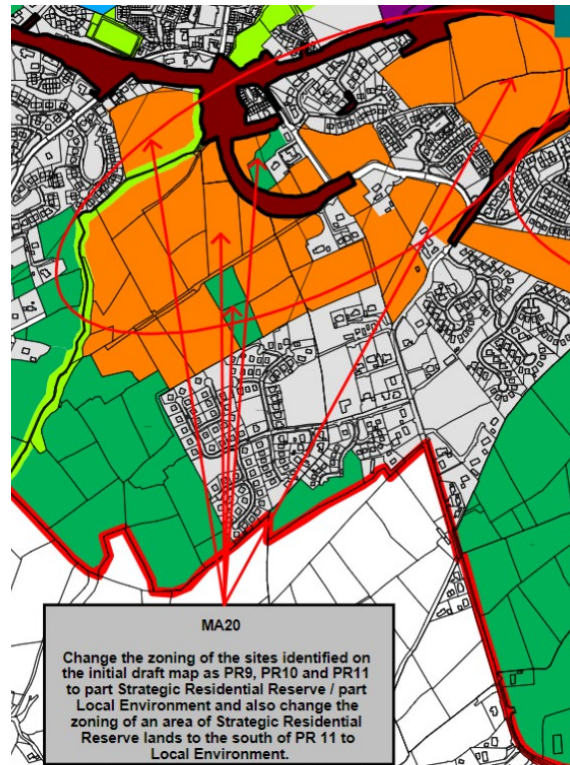
Proposed Material Alteration:

Change the zoning of the sites identified on the initial draft map as PR9, PR10 and PR11 to part 'Strategic Residential Reserve'/part 'Local Environment'; and also change the zoning of an area of 'Strategic Residential Reserve' lands to the south of PR 11 to 'Local Environment'.

PR9, PR10 & PR11 as published in Draft Letterkenny Plan



Proposed material alteration MA 20



OPR Comments at Draft Plan Stage:

Suggested that the zoning 'Primarily Residential' of the subject lands (i.e. PR9, PR10 and PR11) could be a reasonable approach but only if good connectivity across the river to the town proper (in addition to across the subject lands) is first provided for via active and sustainable modes. In the absence of such connectivity, the OPR suggested that these lands would serve to reinforce the existing pattern of car-based development in Letterkenny, contrary to National Sustainability Mobility Policy, and would impact on the strategic national road network to the east contrary to the Spatial Planning and National Roads guidelines.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the sustainable development of lands at Leck is to a large extent dependent on the delivery of upgraded roads infrastructure and in some instances may also require sewerage infrastructure works (e.g. pumping infrastructure is likely to be required in respect of site PR9 as identified in the Draft LAP). Having regard to these infrastructural deficits and to the revised housing land supply requirements recommended by the OPR, recommended that sites PR9, PR10 and PR11 be rezoned from 'Primarily Residential' to 'Strategic Residential Reserve'.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-29: Uisce Éireann (UÉ)

Collectively refers to MA20, MA22, MA30 - South of Swilly, including Oldtown and Southern Strategic and Sustainable Development Site (SSSDS). States that there are currently limited water services in the Southern Strategic and Sustainable Development Site (SSSDS) and surrounding area. Within the Oldtown area specifically, the submission states that a limited amount of further development can be accommodated within the network subject to developer-led localised upgrades and/or surface water separation. However, a strategic network upgrade of the river crossing sewer would be required to cater for any significant level of development. It is envisaged that this strategic upgrade project will be commenced within the lifetime of the LAP, subject to the necessary statutory and budgetary approvals. The submission notes that the areas supplied by the Rahan reservoir (including the Oldtown area) is currently constrained. Ongoing leakage reduction activities are underway in the area to provide capacity to cater for some development. It is envisaged that mains upsizing will also be undertaken in the short-term to provide additional capacity. Further measures e.g. pumping, storage, may be required to cater for full development of the area. The solutions required will be informed by hydraulic modelling and network development plan which is currently underway and nearing completion.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Questions the rationale for MA 20 and notes that PR10 and PR11 in particular are favourably located relative to the town centre, would constitute compact growth and would help to rebalance the development of the town to the south. The submission states that 'unless there are significant servicing issues in respect of these two sites, they should be retained as Primarily Residential as per the Draft LAP'. Formally recommends as follows –

'The planning authority is required to make the plan without MA20, in respect only of site PR10 (23ha) and site PR11 (9.84ha) of the draft LAP, which amended the use of these lands from Primarily Residential to Strategic Residential Reserve'.

Chief Executive's Response:

The submissions from the OPR and Uisce Éireann (UÉ) are noted, in particular the comments from the OPR to the effect that sites PR10 and PR11 should be retained unless there are significant servicing issues in respect of these sites. On the issue of servicing, the submission from UÉ advises, inter alia, that a strategic network upgrade of the river crossing sewer would be required to cater for any significant level of development in the Oldtown area, but further advises that this strategic upgrade project is envisaged to commence within the lifetime of the LAP. On this basis and having regard in particular to the recommendation of the OPR, it is now considered appropriate to retain sites PR10 and PR11.

As regards site PR9, it is noted that the OPR has not commented on this site in terms of the compact growth of Letterkenny (ie. the OPR has not directed the Authority to reinstate a 'Primarily Residential' zoning for that site. It is further noted that UÉ have advised that there are currently limited water services in the Southern Strategic and Sustainable Development Site (SSSDS) and surrounding area. In light of these considerations, it is recommended that Members should resolve to make the Letterkenny with PMA 20 as it relates to site PR9.

Recommendation:

It is recommended that the Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA 20 in respect of sites PR10 and site PR11 of the Draft LAP, subject to the undernoted minor modifications to Table A1 of the plan and subject to site renumbering as may be required

. This would have the effect of:

- a. reinstating a 'Primarily Residential' zoning for sites PR10 and PR11 (as per the Draft Plan);

and

b. retaining the 'Strategic Residential Reserve' zoning of site PR9

(modifications coloured green, deleted text in red-strikethrough) –

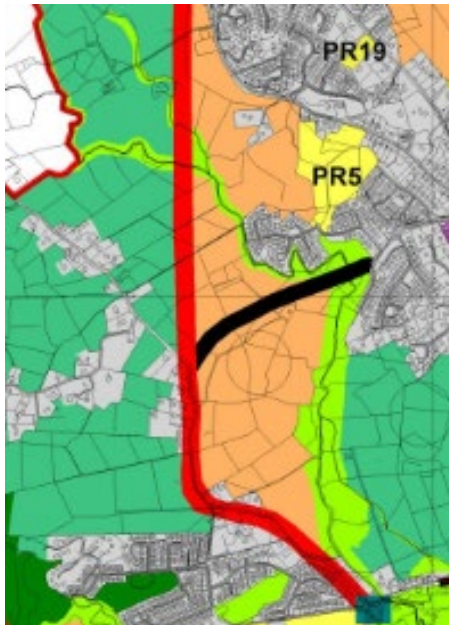
| | | |
|------|---|---------------------|
| PR10 | All required services available. Developers will be required to keep the Southern Network Project road reservation corridor free from development | Tier 1 2 |
| PR11 | <p>Developers will be required to keep the Southern Network Project road reservation corridor free from development</p> <p>Additional road infrastructure likely to be required: Road widening, footpath provision, public lighting and drainage. Cost estimates unavailable.</p> <p>No sewer mapped in area. Connection may be available via adjoining housing developments.</p> | Tier 2 |

PROPOSED MATERIAL ALTERATION MA 21

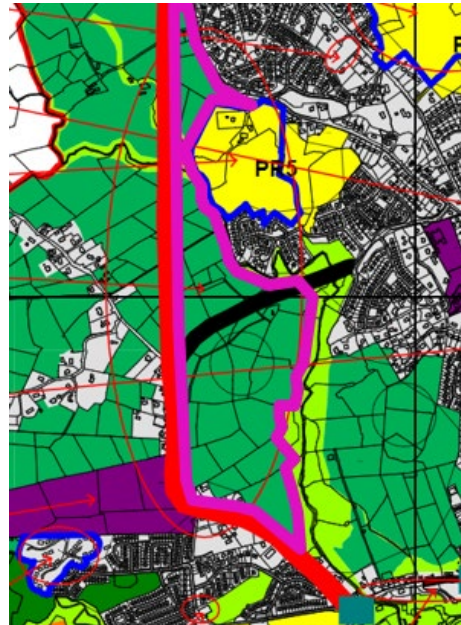
Proposed Material Alteration:

Change the zoning of the 'Strategic Residential Reserve' lands that adjoin the Western Relief Road to 'Local Environment'.

Initially Published Draft Map



Proposed MA 21 (lands outlined in purple)



OPR Comments at Draft Plan Stage:

Raised concerns in relation to the 'Strategic Residential Reserve' lands to the west of the settlement arguing, inter alia, that the scale of the area: is excessive in view of the growth targets for Letterkenny to 2040; would be inconsistent with the principle of compact growth; would necessitate substantial additional roads infrastructure; and would be inconsistent with objectives to promote active travel and modal shift. The OPR recommended as follows (Recommendation 7) –

'The planning authority is requested to delete the 'Strategic Residential Reserve' lands and associated strategic and development led roads objectives to the west of the settlement.'

Chief Executive Comments/Recommendation at Draft Plan Stage:

Having regard to the need to promote the compact growth of the Regional Centre, agreed with the recommendation of the OPR and recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-10: Peter Toner

As a landowner in the area, (see map below, which accompanied the submission and which outlines the extent of the writer's ownership in the area) strongly disagrees with the PMA. States that some of these lands have already been developed (Part 1 – Ashley Close development), with the remaining adjacent green sites retained for future phased development. Further states that a green site in the Ashley Close development was specially retained to provide future access to the remaining lands for further residential development. Contends that his lands should be zoned as 'Primarily Residential' to facilitate the extension of the Ashley Close development.



Chief Executive's Response:

The contents of the submission have been noted. However, the lands identified in the map that accompanied the submission are not the subject of a PMA (i.e. the lands were proposed to be zoned as Local Environment/Open Space in the Draft Plan and this zoning was not proposed to be altered). Accordingly, the zoning of this parcel of lands cannot be considered further at this juncture.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 21.

PROPOSED MATERIAL ALTERATION MA 23

Proposed Material Alteration:

Change the zoning applying to existing buildings at Ballymacool, from Open Space to Established Development.

Image of Site



MA 23 – Identify existing building as Established Development



OPR Comments at Draft Plan Stage:

No specific comments on this issue.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the subject lands contain an unoccupied building formerly used, it would appear, for commercial purposes. Also noted that the buildings have fallen into a state of disrepair and it was agreed that these structures add little to the quality of the residential development at Ballymacool. On the basis that there is an existing building on the subject lands, it was concluded that a zoning of 'Established Development' would be reasonable. NB – it was recommended that the 'Established Development' zoning be applied to the area of the existing building/development only, rather than to the entirety of the lands outlined in red, as this would accurately reflect the zoning designation and associated objective.

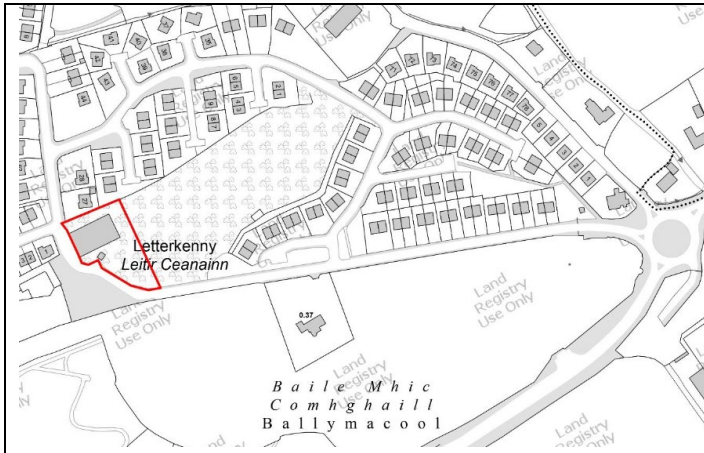
Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-18: O'Connor Burke Architecture on behalf of Donal Gallagher (Twin Estates London Ltd.)

Seeks a minor modification to the boundaries of the PMA so as to include those lands to the south of No.27 Ballymacool Wood, Letterkenny as outlined in red on the map below. Requests that the overall lands within the red line be zoned 'Established Development' rather than part 'Open Space' as proposed. States that the intention here would be to reconfigure the full site frontage and provide a footpath along the frontage where none currently exists, which would facilitate an integrated footpath system that would provide for greater accessibility and pedestrian safety for the residents of this area.



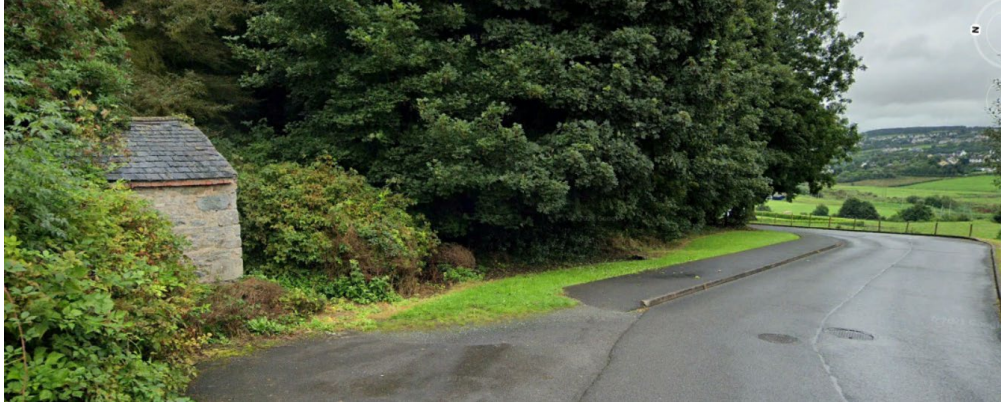
Chief Executive's Response:

The contents of the submission are noted. Members will note from the images below (see image looking north towards existing building) that there is an existing footpath in very close proximity to the existing buildings. Members will further note that there is an existing small stone building adjacent to the sheds clad with corrugated iron. It is considered that this small stone building should be included within the Established Development zoning. This would reflect the zoning designation of Established Development and would also allow for the continuation of the footpath around the site frontage. Members will note (see image looking south) that the lands to the south of the existing buildings are heavily wooded, with a dense cover of mature trees, and it is therefore considered that these lands should be retained within the 'Open Space' zoning to reflect their amenity value and the fact that there is no existing development thereon.

Image looking north towards existing building on site



Image looking south



Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 23, subject to a minor modification to reflect the true extent of established development on site, as per the map below (note: this would result in an increase of approximately 0.05 Ha of Established Development lands).

Proposed minor modification to MA23 – include lands outlined in red as 'Established Development'



PROPOSED MATERIAL ALTERATION MA 24

Proposed Material Alteration:

Change the zoning of an area of land at Ballymacool, from 'Local Environment' to 'Established Development'.

Image of site



Note: the PMA map indicated a wider area of land than that shown above (see image above right) . This was an error and for clarification, Members are advised that the PMA relates only to those lands outlined in red on the left hand side image above (c. 0.2Ha). All adjacent lands to the east of the subject lands were already zoned as 'Established Development' in the Draft Plan and remain as such.

OPR Comments at Draft Plan Stage:

No specific comments..

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-17: O'Connor Burke Architecture on behalf of Donal Gallagher (Twin Estates London Ltd.)

Expresses qualified support for the PMA.

Chief Executive's Response:

The qualified support, as outlined in the above-noted submission, is noted.

Recommendation:

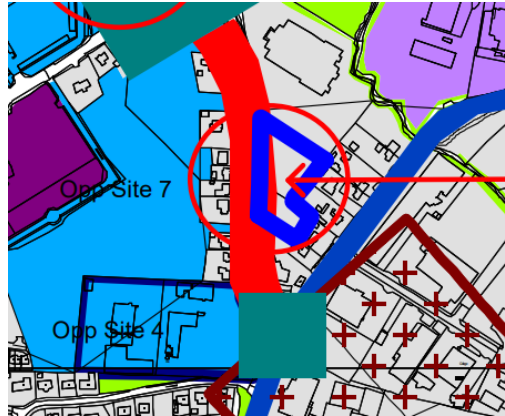
That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 24.

PROPOSED MATERIAL ALTERATION MA 25

Proposed Material Alteration:

Change the zoning of lands at Ballyraire from 'General Employment and Commercial' to 'Established Development'.

Image of site (subject lands outlined with thick blue line)



OPR Comments at Draft Plan Stage:

No specific comments.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the proposed material alteration.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

N/A

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with Material Alteration Ref. MA 25. Note: restrictions on development may apply as per the Strategic Flood Risk Assessment.

PROPOSED MATERIAL ALTERATION MA 26

Proposed Material Alteration:

Increase the area of Primarily Residential Site PR6;
 Amend the text relating to site PR6 in Section 10.6 of the plan;
 Amend the entry relating to Site PR6 in Table A1 (infrastructural assessment), all as follows –
 New text in blue, deleted text in red strikethrough

Section 10.6

Primarily Residential Site No. 6:

Site Area: 24.46~~10.49~~Ha

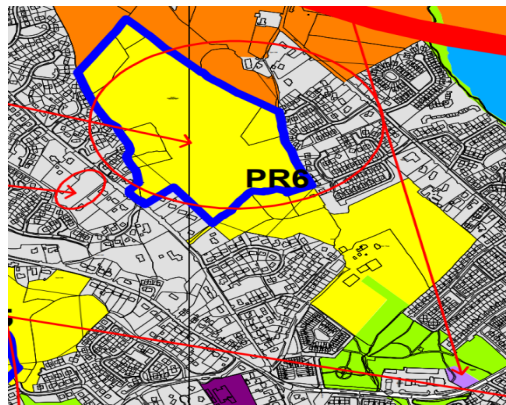
Key Considerations:

- Developers of this site will be required to reserve approximately 1 hectare of 'Primarily Residential Site No. 6' for the provision of a playing pitch and associated facilities.
- The design of any residential scheme will be required to provide for pedestrian and cycle permeability through the site, particularly between Long Lane and Grange Road (L -1174-1) and through to Ballyboe Park.
- Developers will be required to ~~distribute vehicular traffic accessing and leaving~~ provide multiple points of vehicular access to the site ~~by providing access~~, via ~~both~~ Dr. McGinley Road (L-2164-1), ~~and~~ the Grange Road (L -1174-1) ~~and/or the Northern Relief Road~~.

Table A1

| | | |
|-----|--|--------|
| PR6 | <p>Road infrastructure:</p> <p>South/West of site – Works to improve access arrangements/junction improvements/road widening etc. Estimate 220m new footpath with lighting, drainage and overlay existing road. Cost estimate: € 220,000</p> <p>North of site – Provision of northern relief road. Cost estimate unavailable; details to be agreed with Road Design section.</p> | Tier 2 |
|-----|--|--------|

Image of site



OPR Comments at Draft Plan Stage:

Noted that the location of site PR6 (which at Draft stage measured c.10.4Ha) was consistent with the definition of compact growth and 'infill' development and therefore the proposed zoning as Primarily Residential was seen as a positive approach.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that planning permission had recently been granted (planning ref. 22/51204) for 87 residential units on lands to the immediate south of lands subject of proposed MA26 (that decision is now on appeal to An Bord Pleanála). Further noted that the landowner in this instance has entered into discussions with the Council under the 'Large Scale Residential Development' provisions of planning legislation, in respect of the subject lands. The CE report also acknowledged that the subject lands are presently zoned as 'Primarily Residential' under the provisions of the County Development Plan 2018-2024, Part C. Notwithstanding the foregoing, concerns were raised in relation to the servicing requirements for the overall extent of residential development planned at this location, particularly in relation to the need for the strategic 'Northern Relief Road' to be delivered in order to facilitate the extent of development proposed. Concerns were also raised in relation to the level of community facilities generally in Glencar and whether same are adequate to cater for an additional circa 300 dwellings in this area. On balance, and having regard to

- (i.) the existing dense concentration of residential development in the Glencar area;
- (ii.) the need to provide for balanced development throughout the town;
- (iii.) the revised housing land supply targets recommended by the OPR; and
- (iv.) the consideration that the northern relief road would be required to adequately cater for the traffic movements likely to be generated by c.300 dwellings at this location,

the CE's report recommended that the 'Primarily Residential' zoning be revised to include the site subject of planning ref. 22/51204 (i.e. the area denoted as Phase 1 on the map below) but that the remainder of the lands subject of the submission remain zoned as 'Strategic Residential Reserve' as per the Draft LAP.



Members' Resolution at Draft Plan Stage:

Not to accept the recommendation and instead resolved to alter the Draft Plan so as to zone the entirety of the lands outlined in blue in the site image above to 'Primarily Residential'.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-1: Harley Planning Consultants Ltd. on behalf of PJ McDermott

Welcomes the extension of the zoning at Primarily Residential Site PR6.

Raises an issue with respect to one of the 'key considerations' set out in the Plan with respect to the development of the site; specifically the stipulation that "Developers of this site will be required to

reserve approximately 1 hectare of Primarily Residential Site No. 6 for the provision of a playing pitch and associated facilities". The submission supports the need for community and recreational facilities in Glencar but suggests that the most appropriate location for a new playing pitch would be at the southern end of site PR6, where said pitch would be adjacent to the existing Ballyboe Park and where the topography would be more suitable for such a use. The submission requests that the 'key considerations' relating to the development of this site (bullet point 1) is amended as follows – *Developers will be required to reserve approximately 1 hectare to the southern end of 'Primarily Residential Site No. 6' adjacent to Ballyboe Park, for the provision of a playing pitch and associated facilities.*

DNCC-C17-29: Uisce Éireann (UE)

States that the increased size of site PR6 results in a total potential housing yield of approximately 800 units. Network upgrades and pumping may be required. The watermain passing through the site is to be protected/diverted in accordance with UE policy.

DNCC-C17-30: Office of the Planning Regulator (OPR)

No objection, notwithstanding the relatively large scale of the site, as the proposal is consistent with urban housing objective UB-O-2, Policy UB-P-4 and Core Strategy Objective CS-O-12 for sequential development, and is also consistent with implementing compact growth as per regional and national policy.

Chief Executive's Response:

The contents of all submissions in respect of PMA 26 are noted. In particular, the OPR's comments regarding the appropriateness of the site from a locational perspective are acknowledged and generally accepted. However, whilst these lands do have the potential to contribute towards the compact growth of Letterkenny, it is imperative that adequate infrastructure provision is delivered to support any development of scale on the subject lands. Members have previously been advised that the landowner in this instance has been in pre-planning discussions with the Council in respect of a Large-Scale Residential Development (LRD) for 188 residential units on the subject lands. This situation has since moved on and a formal application for development has been lodged with the Council under planning ref. 23/50689 (note – a further application for an additional 90 residential units in this area is currently under appeal to An Bord Pleanála – planning ref. 22/51204 refers).

As part of the LRD process, the planning authority is required to draft an 'LRD opinion' in respect of a proposal. The LRD opinion that issued in respect of the subject lands raised concerns in relation to the capacity of the road network in this general area and stated that "The Planning Authority considers that the optimal solution to potential traffic related problems is to construct an additional access road from the north-western corner of the proposed LRD site running in a north-eastern direction to co-join with the existing Windyhall Road" (to be upgraded as part of the Northern Relief Road project). This requirement for connectivity to the Windyhall Road has been incorporated into a request for Further Information that has issued in respect of application ref. 23/50689 wherein the applicant is requested to "submit an outline masterplan of the wider area and which demonstrates connectivity between the subject site and the Windyhall Road (Northern Network Project) & the Grange/Glencar Road/Circular Road including active travel links via the proposed development".

As evidenced by dealings to date in respect of the subject lands, the delivery of multi-modal linkages throughout these lands is seen as key to ensuring the sustainable development of the Glencar neighbourhood. In the interests of avoiding any ambiguity in this regard, it is recommended that a minor modification is made to the text of the Draft Plan to clarify the need for connectivity across the site, not just to the Grange and Dr. McGinley roads but also to the Windyhall Road. The proposed amendments to the text are set out for Members consideration in the recommendation below.

In addition to the requirement for connectivity to and from site PR6, that particular site and any other developments of scale in the general Glencar area will be subject to a requirement for a financial contribution towards the Northern Relief Road project, a project that is crucial for traffic circulation in and around Letterkenny. Whilst this does not require any policy amendments to the Draft Plan, it is

considered that additional narrative should be included in the Plan to explain the context for these required contributions and to explain the constraints facing the Glencar area/northern side of the town generally. Proposed text in this regard is set out below.

With regard to the submission of Harley Planning Consultants Ltd. in relation to the potential location for a future playing pitch within site PR6, it is considered that this matter would be more appropriately dealt with via the Development Management process rather than at this plan-making stage – no policy changes are recommended in this regard.

Recommendation:

It is recommended that Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA 26, subject to the following minor modifications (modifications comprising additional text coloured green, modifications comprising deletions shown in orange-strikethrough)

Section 10.6

Primarily Residential Site No. 6:

Site Area: 24.46~~10.49~~Ha

Key Considerations:

- Developers of this site will be required to reserve approximately 1 hectare of 'Primarily Residential Site No. 6' for the provision of a playing pitch and associated facilities.
- The design of any residential scheme will be required to provide for pedestrian and cycle permeability through the site, particularly between Long Lane and Grange Road (L -1174-1) and through to Ballyboe Park.
- Developers will be required to ~~distribute vehicular traffic accessing and leaving~~ provide multiple points of vehicular access to the site ~~by providing access~~, via ~~both~~ Dr. McGinley Road (L-2164-1), ~~and~~ the Grange Road (L -1174-1) ~~and/or~~ the Northern Relief Road (Windyhall Road).

Table A1

| | | |
|-----|--|--------|
| PR6 | <p>Roads infrastructure:</p> <p>South/West of site - Works to improve access arrangements/junction improvements/road widening etc. Estimate 220m new footpath with lighting, drainage and overlay existing road. Cost estimate: € 220,000</p> <p>North of site – Provision of northern relief road. Cost estimate unavailable; details to be agreed with Road Design section.</p> <p>Link road between Northern Relief Road (Windyhall Road) and site – cost estimate unavailable.</p> | Tier 2 |
|-----|--|--------|

New Section 10.8 Development in the Glencar Area

10.8 Developments in Glencar and the wider vicinity

As noted in Chapter 14 of this Plan, Glencar is one of the most densely populated parts of Letterkenny, perhaps reflective of its proximity to the town centre and its range of neighbourhood shops and services. Glencar has the potential to become a thriving, edge of centre neighbourhood, fully rooted in the principles of compact growth and offering residents access to a wide range of amenities within a relatively short distance. However, the Glencar area also suffers from significant traffic congestion at peak times and it is crucial that positive intentions regarding the development of

the area do not ultimately end up compounding the existing traffic issues. The Council has plans in place to ease traffic congestion in this area, via the development and enhancement of active travel measures and via roads-based initiatives. With regard to the latter, the development of the Northern Relief Road is seen as a key proposal to alleviate traffic congestion and improve circulation on the northern side of Letterkenny. For these reasons, the Council will require the payment of a financial contribution in respect of developments in the Glencar area and wider vicinity that will stand to benefit from the delivery of the Northern Relief Road, thereby ensuring that the necessary road infrastructure is delivered to support additional development on the northern side of the town.

PROPOSED MATERIAL ALTERATION MA 27

Proposed Material Alteration:

Include an area of lands within the plan boundary and zone as 'Established Development'.

Image of site



OPR Comments at Draft Plan Stage:

No comments on this specific issue.

Chief Executive Comments/Recommendation at Draft Plan Stage: Noted the peripheral location of the subject lands and the need to focus on the compact growth of Letterkenny. Further noted that the lands are not located in an area where the planning authority would envisage any development of scale and as such, the extension of the plan boundary at this location would have little if any practical benefit. Recommended that no changes be made to the Plan boundary at this location.

Members' Resolution at Draft Plan Stage: Not to accept the CE's recommendation and instead to include the subject lands within the Plan boundary and zone as 'Established Development'.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

Members are referred to the CE's comments at Draft stage.

Recommendation:

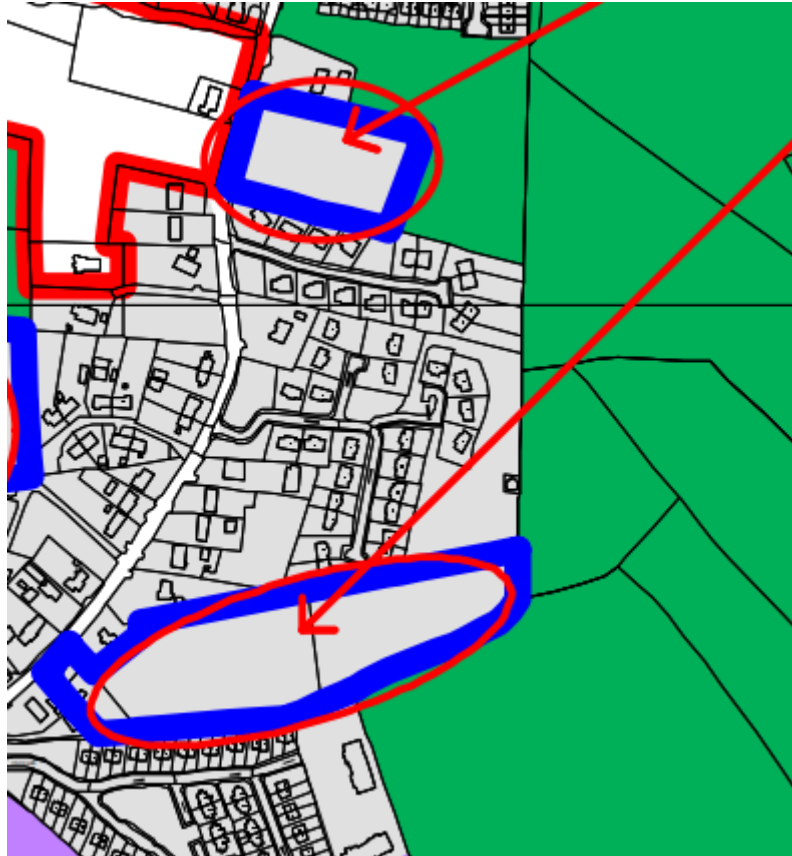
That Members resolve to make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 27.

PROPOSED MATERIAL ALTERATION MA 28

Proposed Material Alteration:

Change the zoning of two areas of land at Ballaghderg, from 'Local Environment' to 'Established Development'.

Image of lands



OPR Comments at Draft Plan Stage:

No comments on this specific issue.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the subject lands are located in a peripheral location relative to the town centre. Having regard to the need to focus on the compact growth of Letterkenny, it was advised that significant levels of new housing development were not envisaged in this area and as such, it was recommended that a 'Local Environment' zoning be retained on the subject lands.

Members' Resolution at Draft Plan Stage:

Not to accept the CE's recommendation and instead to zone the lands as 'Established Development'.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

Members are referred to the CE's comments at Draft stage.

Recommendation:

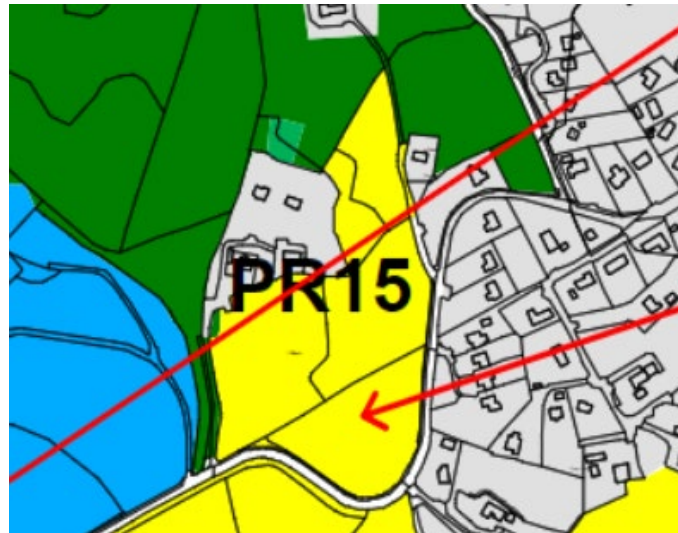
That Members resolve to make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 28.

PROPOSED MATERIAL ALTERATION MA 29

Proposed Material Alteration:

Change the zoning of an area of land at Kilttoy, from 'Local Environment' to 'Primarily Residential' Site PR15.

Image of site



OPR Comments at Draft Plan Stage:

No specific comments at Draft Plan stage (Note: the lands were zoned as 'Local Environment' on the Draft Map).

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the subject lands are located in close proximity to schools and employment areas. Further noted that the subject site fails to offer benefits in terms of potential connectivity and permeability through the wider area such as those offered by Site PR1 to the south and furthermore is not particularly conducive to development by reason of the considerable gradients that exist on site. Having regard to the foregoing therefore, it was recommended that the initially proposed 'Local Environment' zoning be retained on site.

Members' Resolution at Draft Plan Stage:

Not to accept the recommendation and instead to zone the lands as 'Primarily Residential'.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-21: O'Connor Burke Architecture on behalf of Paul McGettigan of P & C McGettigan Ltd.

Expresses qualified support.

DNCC-C17-29: Uisce Éireann (UÉ)

Advises that there is no public sewer in this area at present. The site is serviceable but requires extending the foul sewerage network approx. 400m from junction at former Unifi site along the Kilttoy Road to site. Served by 100mm watermain, localised upgrades and/or extensions may be required.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Recommends (see Recommendation No. 1) that the Planning Authority make the Plan without this PMA (in effect, the OPR recommendation if accepted would see zoned as 'Local Environment').

Chief Executive's Response:

The contents of all submissions have been noted and considered. It is acknowledged that the Report at draft stage had noted that the subject site offers little in the way of potentially improving connectivity through this area; however, from a locational perspective there is little to distinguish these lands from site PR1 to the south, which the Council has decided to zone for residential development. It is noted from the UÉ submission that the site is serviceable (subject to an extension of the sewer network) and it is further noted that the site is located in very close proximity to the Educate Together national school, to an area of significant employment (IDA Business Park) and to the neighbourhood centre at Gortlee. On balance therefore, and notwithstanding the concerns of the OPR, it is considered that the subject lands could usefully contribute towards the compact and sustainable growth of Letterkenny and should therefore be zoned to allow for housing development.

Recommendation:

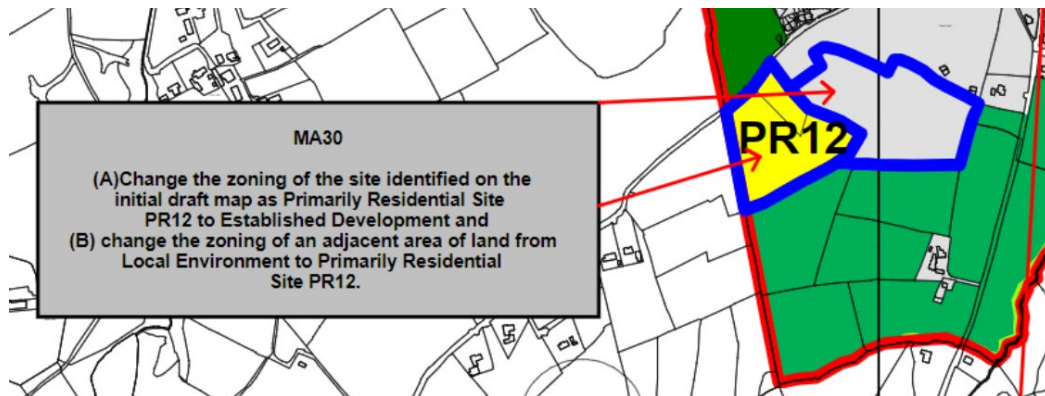
That Members resolve to make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 29.

PROPOSED MATERIAL ALTERATION MA 30

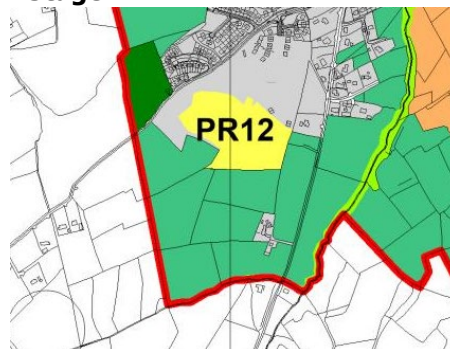
Proposed Material Alteration:

- A. Change the zoning of the site identified on the initial draft map as 'Primarily Residential' Site PR12 to 'Established Development'; and
- B. Change the zoning of an adjacent area of land from 'Local Environment' to 'Primarily Residential' Site PR12.

Image of site



OPR Comments at Draft Plan Stage:



Chief Executive Comments/Recommendation at Draft Plan Stage:

Acknowledged that construction works were proceeding on the subject lands. However, it was also noted that regard must be had to the revised population projections and housing land supply targets recommended by the OPR and NWRA and to the extent of residential land already proposed at other locations within the plan boundary, which amongst things had been identified in a manner that would provide an appropriate geographical spread of residential development opportunities throughout the town. Having regard to these considerations, the proposal to zone additional 'Primarily Residential' lands to the west of the originally identified Site 'PR12' was not considered appropriate and as such, no changes to the zoning map were recommended.

Members' Resolution at Draft Plan Stage:

Not to accept the CE's recommendation, and instead to:

- a. Change the zoning of the site identified on the Draft Map as 'Primarily Residential' Site PR12 to 'Established Development'; and
- b. Change the zoning of an adjacent area of land from 'Local Environment' to 'Primarily Residential' Site PR12.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-29: Uisce Éireann (UÉ)

States that a connection to the sewer in the adjacent Rann Mór Walk estate may be possible with localised extension, subject to third party permission. Available GIS sewer network data in the vicinity is limited; local knowledge may provide greater clarity.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Contends that PMA30(B) will not contribute to effective compact growth consistent with national and regional policy objectives, would not constitute sequential zoning of land and is not required to enable Letterkenny to achieve its housing target. It is further noted that no information has been provided as to whether these lands are serviced or can be serviced over the Plan period. It is argued that the PMA (in conjunction with others) will undermine the good work being done by the Planning Authority on regeneration and consolidation of the town and its historic core. Recommends that the Planning Authority make the Plan without PMA Ref. MA30(B).

Chief Executive's Response:

The submissions from UÉ and the OPR are noted.

In relation to PMA 30(A), it is accepted that construction works are well underway on these lands and hence accepted that a zoning of Established development would be reasonable at this location.

With regard to PMA 30(B), Members are referred back to the comments in the CE Report at draft stage, which outline a number of considerations as to why the acceptance of PMA 30 would not be appropriate.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 30(A); and

That Members resolve to the make the Plan without PMA Ref. MA 30(B).

PROPOSED MATERIAL ALTERATION MA 31

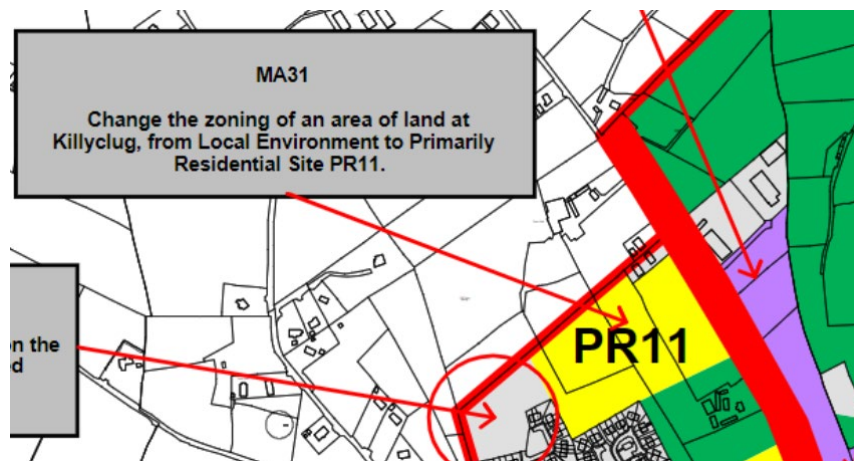
Proposed Material Alteration:

Change the zoning of an area of land at Killyclug, from 'Local Environment' to 'Primarily Residential' Site PR11;

Delete entry relating to the original site 'PR11' from Section 10.6 of the Plan;

Amend the entry relating to site PR11 in Table A1 (infrastructural assessment).

Image of site



OPR Comments at Draft Plan Stage:

No comments at Draft Stage (Note: site was initially zoned as 'Local Environment').

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the subject lands are located in a peripheral location relative to the town centre and advised that the provision of a residential zoning at this location would be contrary to the principles of compact growth. Recommended against this PMA.

Members' Resolution at Draft Plan Stage:

Not to accept the CE's recommendation and instead to zone the subject lands as 'Primarily Residential'.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-29: Uisce Éireann (UÉ)

Advises that available information indicates sewer extension from the junction (approx. 300m) may be required; local knowledge may provide greater clarity. Localised upgrades of the watermain as far as the junction may be required. Alternative access to the networks may be possible via the adjacent estate, subject to third party agreement.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Contends that this PMA will not contribute to effective compact growth consistent with national and regional policy objectives, would not constitute sequential zoning of land and is not required to enable Letterkenny to achieve its housing target. Also notes that no information has been provided as to whether these lands are serviced or can be serviced over the Plan period. Contends that this PMA (in conjunction with others) will undermine the good work being done by the Planning Authority on regeneration and consolidation of the town and its historic core. Recommends that the Planning Authority makes the Plan without this PMA.

Chief Executive's Response:

The contents of the submissions from both Uisce Éireann and the OPR are noted. In particular, the OPR's comments in relation to the sequential zoning of land in Letterkenny are agreed. As advised at Draft stage, it is considered that the identification of a 'Primarily Residential' zoning at this peripheral location would be contrary to the principles of compact growth and would not be in the best interests of the proper planning and sustainable development of the town going forward.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without Proposed Material Alteration ref. MA31.

PROPOSED MATERIAL ALTERATION MA 32

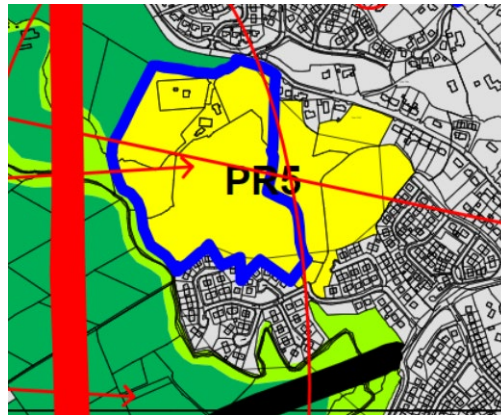
Proposed Material Alteration:

Increase the area of Primarily Residential Site PR5 and amend the text in Section 10.6 as follows –
 New text in blue, deleted text in ~~red~~

Primarily Residential Site No. 5:

Site Area: 14.5 hectares.

Image of site (area subject of MA32 outlined in blue)



OPR Comments at Draft Plan Stage:

Considered that the initially identified site PR5 (i.e. the eastern side of the lands identified above) were consistent with the definition of compact growth and 'infill' development and as such represented a positive approach.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that a part Strategic Residential Reserve/part Established Development zoning be retained on the subject lands.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-7: MH Associates on behalf of the Borland family

Supports with the PMA.

DNCC-C17-29: Uisce Éireann (UÉ)

Advises that the increased size of the site results in a total potential housing yield of approximately 500 units. Localised network upgrades may be required.

DNCC-C17-30: Office of the Planning Regulator (OPR)

No objection to MA32, notwithstanding the relatively large scale of the site, as the proposal is consistent with urban housing Objective UB-O-2, Policy UB-P-4 and Core Strategy Objective CS-O-12 for sequential development, and with implementing compact growth as per regional and national policy.

Chief Executive's Response:

The contents of all submissions in respect of PMA 32 are noted. In particular, the OPR's comments regarding the appropriateness of the site from a locational perspective are acknowledged and generally accepted.

Whilst accepting the general suitability of the location of the site for new housing development, many

of the considerations outlined in respect of PMA 26 above (most notably those relating to traffic congestion in the Glencar area) are also applicable to the lands subject of PMA32 (these considerations would also have informed earlier comments in relation to the subject lands at the draft stage of the LAP process). The enlarged site as envisaged under PMA32 has the potential to deliver approximately 500 residential units and it is therefore crucial that appropriate roads infrastructure, including the proposed Northern Relief Road, is put in place to allow alternative options for traffic movement on the northern side of the town. As noted under PMA26 above, it is now proposed to levy financial contributions on developments in this area to ensure that the Northern Relief Road is delivered in tandem with projects of scale, in order to address concerns regarding congestion in the area.

Recommendation:

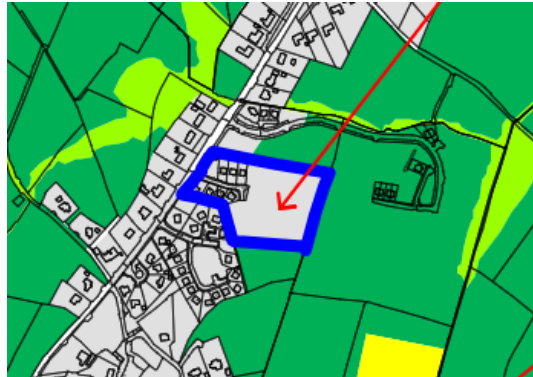
It is recommended that Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA 32, subject to the inclusion of a new Section 10.8 in the Plan, outlining the need for financial contributions to go towards the construction of the Northern Relief Road (see proposed text coloured green under PMA 26 above).

PROPOSED MATERIAL ALTERATION MA 33

Proposed Material Alteration:

Change the zoning of an area of land at Lisnennan, from 'Local Environment' to 'Established Development'.

Image of site



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the subject lands are located in a peripheral location relative to the town centre. Having regard to national policy agenda in terms of compact growth and to the revised housing land supply targets recommended by the OPR, considered that a residential zoning could not be justified and thus recommended that a 'Local Environment' zoning be applied to the subject lands.

Members' Resolution at Draft Plan Stage:

Not to accept the recommendation in the Chief Executive Officer's report and instead to zone the lands referenced in Submission No. 39 and those with previous permissions as "Established Development".

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

Members are referred to the CE's comments at Draft stage.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 33.

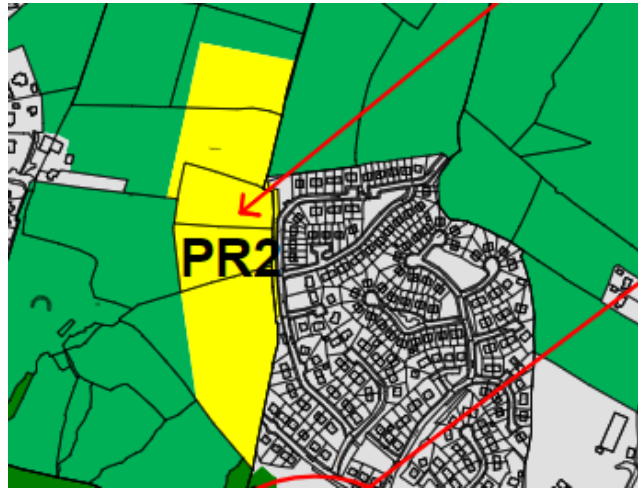
PROPOSED MATERIAL ALTERATION MA 34

Proposed Material Alteration:

Change the zoning of an area of land at Castlebane, from 'Local Environment' to Primarily Residential' Site PR2;

Amend the entry relating to Site PR2 in Table A1 (Infrastructural Assessment)

Image of site



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the subject lands are located in a peripheral location relative to the town centre. Having regard to the national policy agenda to pursue the compact growth of the settlement and to the revised housing land supply targets recommended by the OPR, it was considered that a residential zoning on the subject lands could not be justified at this time. Recommended that a Local Environment zoning be applied to the subject lands.

Members' Resolution at Draft Plan Stage:

Not to accept the recommendation in the Chief Executive Officer's report and instead to rezone the 6.07Ha of the subject lands as "Primarily Residential" with the remaining designated as "Strategic Residential Reserve"

Submissions At Proposed Material Alterations Stage:

DNCC-C17-29: Uisce Éireann (UÉ)

Available GIS indicates the nearest sewer is approximately 300m away; however, connection via adjacent estates may be available, subject to third party agreement. Localised watermain upgrades may be required.

DNCC-C17-30: Office of the Planning Regulator (OPR)

PMA 34 will not contribute to effective compact growth, would not constitute sequential zoning of land and is not required to enable Letterkenny to achieve it's housing target. The OPR recommends that the plan is made without PMA 34.

Chief Executive's Response:

The comments of the OPR are noted and in line with the comments and recommendation contained

in the CE's comments at Draft stage.

Recommendation:

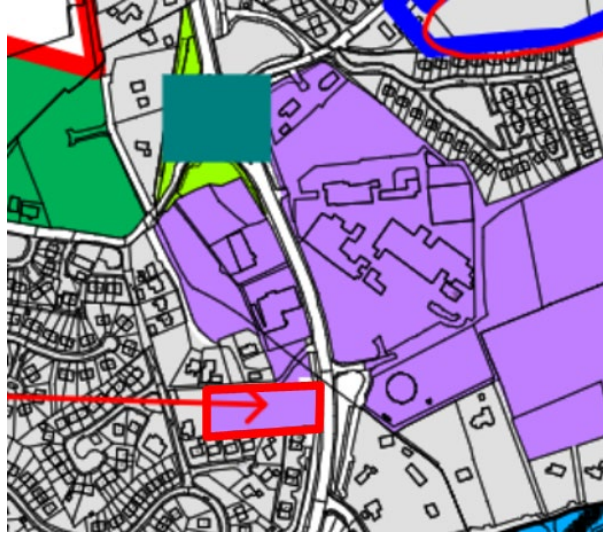
That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 34.

PROPOSED MATERIAL ALTERATION MA 35

Proposed Material Alteration:

Change the zoning of an area of land at Carnamogagh Upper, from 'Established Development' to 'General Employment and Commercial'.

Image of site



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Acknowledged that the Mountain Top area contains a wide range of uses, encompassing residential and commercial. Also noted that in light of the requirements for compact growth and the revised housing land supply targets recommended by the OPR, that significant levels of residential development were not envisaged in these lands. Recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received.


Chief Executive's Response:

N/A.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 35.

PROPOSED MATERIAL ALTERATION MA 36

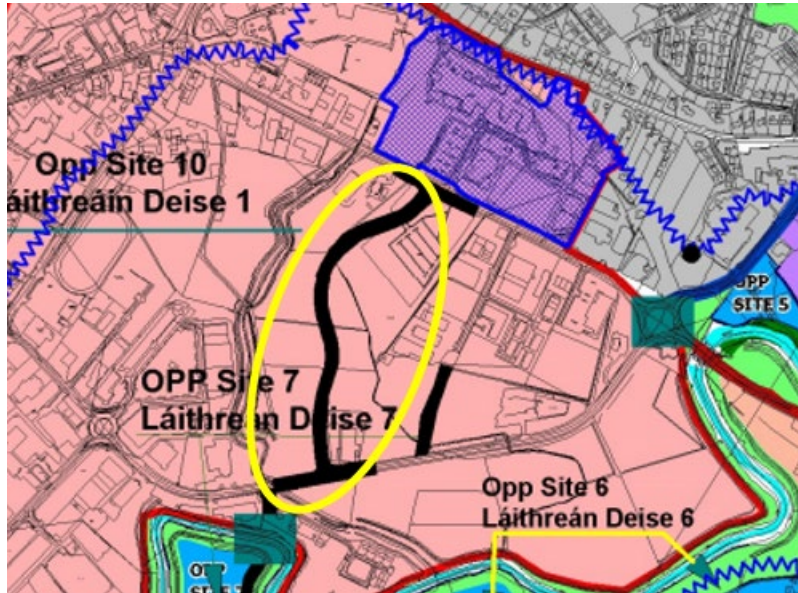
| |
|---|
| <p>Proposed Material Alteration: Change the zoning of an area of land at Ballyboe Glencar, from 'Open Space' to 'General Employment and Commercial'.</p> |
| <p>Image of site</p>  |
| <p>OPR Comments at Draft Plan Stage: No comment.</p> |
| <p>Chief Executive Comments/Recommendation at Draft Plan Stage: That Members accept the PMA.</p> |
| <p>Members' Resolution at Draft Plan Stage: To accept the PMA on the basis that it is used to improve parking facilities and that the monies generated are used to develop the park.</p> |
| <p>Submissions At Proposed Material Alterations Stage: No submissions received.</p> |
| <p>Chief Executive's Response: N/A.</p> |
| <p>Recommendation: That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 36.</p> |

PROPOSED MATERIAL ALTERATION MA 37

Proposed Material Alteration 37:

Delete the indicative 'developer led road' from the town centre area.

Image of indicative road line (as currently contained in the CDP 2018-2024, Part C)



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the indicative road line would not be consistent with the aims and objectives of the Green Connect project and recommended that Members accept the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-26: Paul Callaghan on behalf of PJ Callaghan

Notes that the indicative road line has been in previous development plans and run up to and through PJ Callaghan's land. Contends that deleting the road line entirely is a disproportionate response to one submission. Suggests that the road should at least continue up to PJ Callaghan's land and provide future access from the Aldi road to said land. States that this land may be subject to a CPO and that restricting access in this way could have a negative effect at arbitration, should it reach that stage.

Chief Executive's Response:

The contents of the submission in relation to PMA 37 are noted. Members are advised that the removal of the indicative road line will not necessarily restrict access to town centre lands at this location. The indicative road line was initially put in place to potentially allow for additional vehicular connectivity between the Port Road and Neil T. Blaney Road, an objective that has now largely been secured with the completion of the Joe Bonnar Road. Whilst proposals for vehicular access to town centre lands will continue to be considered on their merits, the proposal to remove the indicative road line at this location is a reflection of the roads projects that have already been advanced by the Council and of the desire to think about connectivity and permeability across the town centre in a

new way, one that involves the use of sustainable modes of transport in addition to the private car.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 37.

PROPOSED MATERIAL ALTERATION MA 38

Proposed Material Alteration:

Include an area of land at Curraghlea within the plan boundary and zone as Established Development.

Image of lands



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that these lands were at a location on the northern edge of the town in an area of rural character. Also noted that (other) existing dwellings along this road are contained within the Plan boundary and zoned as 'Established Development'. For these reasons, recommended that Members only include the 2 No. existing houses in the top-right image above within the Plan boundary, with a zoning of 'Established Development'.

Members' Resolution at Draft Plan Stage:

To include an area of land identified in the top-left image within the Plan Boundary and to zone said lands as "Established Development"

Submissions At Proposed Material Alterations Stage:

No submissions received.

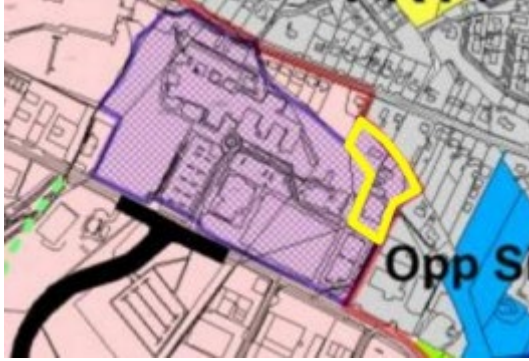
Chief Executive's Response:

Members are referred to the comments of the CE at draft stage. Members are also referred to the numerous comments elsewhere in this, and previous, reports and to the consistent position of the OPR in terms of the priority to be given to the national compact growth agenda.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with the inclusion within the Plan boundary only of the two dwellings shown in the top right image above and with the said dwellings/curtilages zoned as 'Established Development'.

PROPOSED MATERIAL ALTERATION MA 39

| |
|---|
| <p>Proposed Material Alteration: Change the zoning of an area of lands, from Town Centre/ATU Campus to Established Development.</p> |
| <p>Image of lands</p>  |
| <p>OPR Comments at Draft Plan Stage: No comment.</p> |
| <p>Chief Executive Comments/Recommendation at Draft Plan Stage: Noted that the subject lands were currently used for warehouse-type commercial development and were not part of the ATU campus. Recommended that Members accept the PMA.</p> |
| <p>Members' Resolution at Draft Plan Stage: To accept the PMA.</p> |
| <p>Submissions At Proposed Material Alterations Stage: No submissions received.</p> |
| <p>Chief Executive's Response: N/A</p> |
| <p>Recommendation: That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 39.</p> |

PROPOSED MATERIAL ALTERATION MA 40

Proposed Material Alteration:

Change the zoning of an area of land at Killyclug, from 'Local Environment' to 'General Employment and Commercial'.

Image of lands (outlined blue on map below)



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended against the PMA on the basis that the subject lands are located in a peripheral location relative to the town centre. It was considered that the expansion of commercial development at this location would be contrary to the principles of compact growth and would be likely have adverse impacts on the commercial viability of more centrally located areas.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-27: National Transport Authority (NTA)

Notes concerns and considers that the proposed rezoning does not follow the principles of compact growth and would have poor levels of accessibility. Also argues that the proposed zoning would not meet Goals 5 (to encourage people to choose sustainable mobility over the private car) and 9 (to better integrate land use and transport planning at all levels) of the National Sustainable Mobility Policy. Recommends that PMA 40 is not made.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Notes that the subject lands are peripheral, with poor road access and no public footpath, and they extend along the public road well out to the rural area. States that these lands are not identified as a strategic employment location under the RSES and the expansion of employment lands in this location is considered to be inconsistent with the RSES. In addition, information is provided as to whether the lands are serviced or serviceable over the life of the plan. Recommends that the Planning Authority makes the Plan without MA40.

Chief Executive's Response:

The comments of the OPR and NTA are noted and agreed. Members are referred to the comments

contained in the CE report at Draft Plan stage. Members are advised that taking a more positive approach to this proposal on the basis of the proximity of the lands to the neighbourhood centre was explored with the OPR. However, the position as advised was that greater weight should be given to the national compact growth policy agenda, given the peripherality of the lands.

Recommendation:

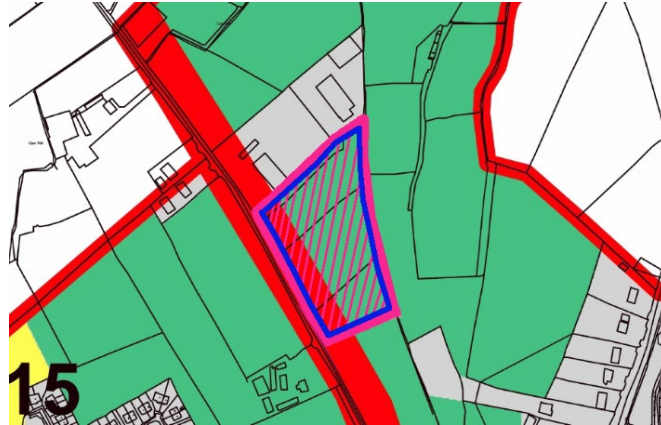
That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 40.

PROPOSED MATERIAL ALTERATION MA 41

Proposed Material Alteration:

Change the zoning of an area of land at Killyclug, from 'Local Environment' to 'General Employment and Commercial'.

Image of lands (outlined blue on map below)



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the lands are subject of a recent refusal of permission by DCC for 5 no. commercial units, currently on appeal to An Bord Pleanala. Recommended against the PMA on the basis that the subject lands are located in a peripheral location relative to the town centre and having regard to the need to focus future commercial development in more central locations.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-27: National Transport Authority (NTA)

Notes concerns and considers that the proposed rezoning does not follow the principles of compact growth and would have poor levels of accessibility. It is also argued that the proposed zoning would not meet Goals 5 (to encourage people to choose sustainable mobility over the private car) and 9 (to better integrate land use and transport planning at all levels) of the National Sustainable Mobility Policy. Recommends that PMA 41 is not made.

DNCC-C17-29: Uisce Éireann (UÉ)

Available information indicates a sewer extension from the junction may be required, local knowledge may provide greater clarity. Localised upgrade of watermain as far as junction may be required.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Notes that the subject lands are peripheral, with poor road access and no public footpath, and they extend along the public road well out to the rural area. States that these lands are not identified as a strategic employment location under the RSES and the expansion of employment lands in this location is considered to be inconsistent with the RSES. In addition, no information is provided as to whether the lands are serviced or serviceable over the life of the plan. Recommends that the Planning Authority makes the Plan without MA41.

Chief Executive's Response:

The comments of the OPR and NTA are noted and agreed. Comments from Uisce Éireann are noted. Members are referred to the comments contained in the CE report at Draft Plan stage. Members are advised that taking a more positive approach to this proposal on the basis of the proximity of the lands to the neighbourhood centre was explored with the OPR. However, the position as advised was that greater weight should be given to the national compact growth policy agenda, given the peripherality of the lands.

Recommendation:

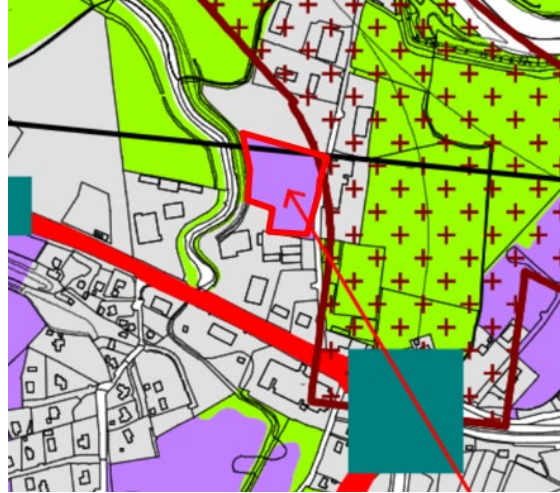
That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without proposed material alteration ref. MA 41.

PROPOSED MATERIAL ALTERATION MA 42

Proposed Material Alteration:

Change the zoning of an area of land at Bunnagee, from 'Open Space' to 'General Employment and Commercial'.

Image of lands (outlined blue on map below)



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted that the lands are within Flood Zone A and would not satisfy the plan-making justification test as set out in the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities. On this basis, recommended against the PMA.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-29: Uisce Éireann (UÉ)

Bonagee is currently not served by a public sewer network. The area is characterised by poor ground conditions and as a result, a low-pressure sewerage system with a strategic pumping station in the vicinity of the Dry Arch roundabout is likely to be the preferred solution to service this area. As part of the recent Four Lane Road upgrade project, sleeves were installed to provide for future water/wastewater crossings. Those wishing to connect are encouraged to submit a pre-connection enquiry. The Bonagee area is served by water network along the local roads in the area. Continued engagement between UÉ and the TEN-T Road Design Team is requested to ensure adequate provision is made for UÉ infrastructure.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Notes that the lands have not passed a plan-making Justification Test in accordance with the Flood Guidelines. Recommends that the Plan is made without PMA 42.

Chief Executive's Response:

The comments of the OPR and UÉ are noted. Members are referred to the comments contained in the CE report at Draft Plan stage.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 42.

PROPOSED MATERIAL ALTERATION MA 43

Proposed Material Alteration:

Change the zoning of an area of land at Sallaghagrane, from 'Open Space' to 'Established Development'.

Image of lands subject of PMA43 (lands coloured grey within ellipse, located south of Regional road)



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Recommended that the area outlined in the image below, which contains an existing dwelling, be rezoned from 'Open Space' to 'Established Development'. Members were advised that the SFRA Report indicated a potential flood risk on part of the subject lands subject of PMA 43.



Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received.

Chief Executive's Response:

Members are referred to the comments contained in the CE report at Draft Plan stage. Members are advised that a plan-making 'justification test' has been carried out in respect of this area, having regard to the identified flood risk. The justification test has been passed and accordingly, the proposed 'Established Development' zoning as identified under PMA 43 is considered appropriate under the provisions of the Planning System and Flood Risk Management Guidelines. However, Members should note that (in accordance with Section 12.3.4 of the Draft Plan), when assessing planning applications within this area, the Planning Authority will ensure adherence to the principles

of the 'Planning System and Flood Risk Management Guidelines' and thus may impose limitations on development proposals pursuant to the findings of relevant justification tests (see Appendix B of SFRA report).

Recommendation:

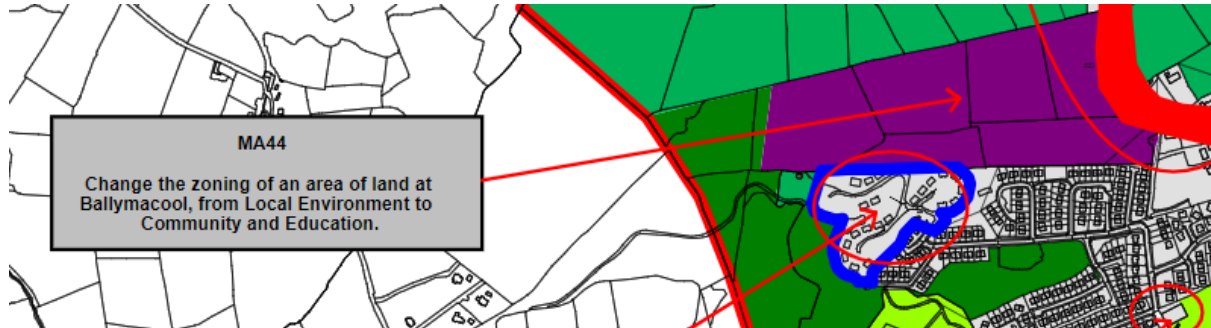
That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 with PMA Ref. MA 43.

PROPOSED MATERIAL ALTERATION MA 44

Proposed Material Alteration:

Change the zoning of an area of land at Ballymacool, from 'Local Environment' to 'Community and Education'.

Image of lands subject of PMA44 (lands coloured purple)



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

No comment.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-22: NWRA Recommends that PMA 44 be reconsidered as an educational campus at this location currently does not have adequate accessibility, and does not contribute to compact growth or consolidation, as it effectively would represent an extension beyond the built-up footprint of the Town at Ballymacool/Kirkstown.

DNCC-C17-27: National Transport Authority (NTA)

Concerned that the subject site is located at the edge of the town and that this would make it difficult to facilitate the use of sustainable modes of transport. Recommends that PMA 44 is not made and that, instead, a new Objective is included to state that within the lifetime of the Plan, the Planning Authority will investigate and propose an appropriate location for future educational needs.

DNCC-C17-29: Uisce Éireann (UÉ)

Localised water network upgrades may be required. Available GIS sewer network data in the vicinity is limited; local knowledge may provide greater clarity. Access to the sewer network via the adjacent estate may be possible, subject to third party agreement.

DNCC-C17-30: Office of the Planning Regulator (OPR)

Concerns on the basis of the site's peripherality, and the non-sequential location of this site of c.12HAs. Notes that although a site is required by the Department of Education to accommodate at least one primary school over the medium term, there is nothing to suggest that this site was selected in discussion with the Department. Concludes that the planning rationale for the selection of this site is not evident and recommends that the Plan be made without PMA44.

DNCC-C17-31: Department of Education

The OPR has made the Department aware that it does not consider the location of the subject lands to be appropriate for a school, having regard to certain national and regional objectives. The Department accepts the concerns of the OPR in this matter and requests that Donegal County Council consider zoning a more suitable and appropriate area of land for the potential use of future school provision. The Department would appreciate if this new zoning could be applied within the final adopted LAP.

Chief Executive's Response:

The contents of submissions received are noted. In particular, the concerns of the NWRA, OPR and Department of Education regarding the peripherality and poor accessibility of the subject lands are acknowledged and agreed. Members are advised that the Draft Letterkenny Plan already makes provision for potential future school use on a number of sites that are deemed more appropriate from a locational perspective (e.g. Opp sites 5 and 7 at Ballyraine – behind Mount Errigal Hotel and behind Church of Irish Martyrs; Opp site 8 – south of Windyhall Road; Opp Site 9 – former Model Bakery Site; Opp Site 10 – Carnamugggah). Members will also note that the principles set out in Table 10.3 of the Draft Plan, dealing with the development of the SSDS area, require that the masterplan for this area makes appropriate provision for the reservation of lands for schools.

Recommendation:

That Members make the Letterkenny Plan and Local Transport Plan 2023-2029 without PMA Ref. MA 44.

PROPOSED MATERIAL ALTERATION MA 45

Proposed Material Alteration: 45

Land Use Zoning Map: Change the zoning of the site identified on the initial Draft Map as 'Primarily Residential' Site PR2 to 'Established Development'.



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

No comment.

Members' Resolution at Draft Plan Stage:

Resolved to zone as 'Established Development' on the basis that significant development had been carried out already at this site..

Submissions At Proposed Material Alterations Stage

No submissions.

Chief Executive's Response

The rationale of the Members at Draft Plan stage is generally agreed.

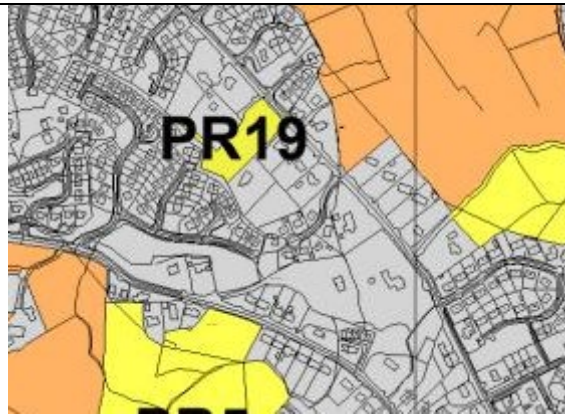
Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMARef. MA 46.

PROPOSED MATERIAL ALTERATION MA 46

Proposed Material Alteration: 46

Land Use Zoning Map: Change the zoning of the site identified on the Draft Map as 'Primarily Residential' Site PR19 to 'Established Development'.



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

No comment.

Members' Resolution at Draft Plan Stage:

Resolved to zone as 'Established Development' on the basis that significant development had been carried out already at this site.

Submissions At Proposed Material Alterations Stage

No submissions

Chief Executive's Response

The rationale of the Members at Draft Plan stage is generally agreed.

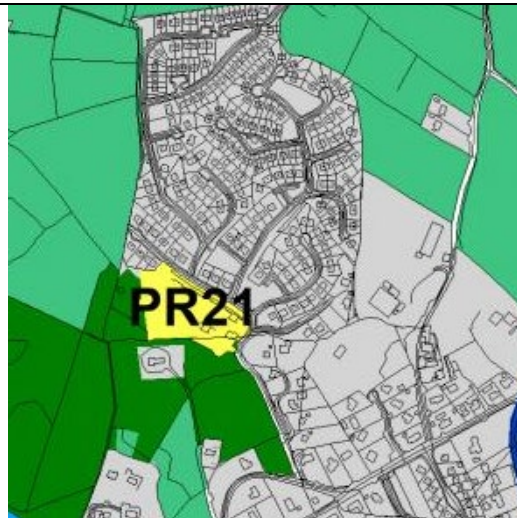
Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 46.

PROPOSED MATERIAL ALTERATION MA 47

Proposed Material Alteration: 47

Land Use Zoning Map: Change the zoning of the site identified on the Draft Map as 'Primarily Residential' Site PR21 to 'Established Development'.



OPR Comments at Draft Plan Stage:

No comment.

Chief Executive Comments/Recommendation at Draft Plan Stage:

No comment.

Members' Resolution at Draft Plan Stage:

Resolved to zone as 'Established Development' on the basis that significant development had been carried out already at this site.

Submissions At Proposed Material Alterations Stage

No submissions.

Chief Executive's Response

The rationale of the Members at Draft Plan stage is generally agreed.

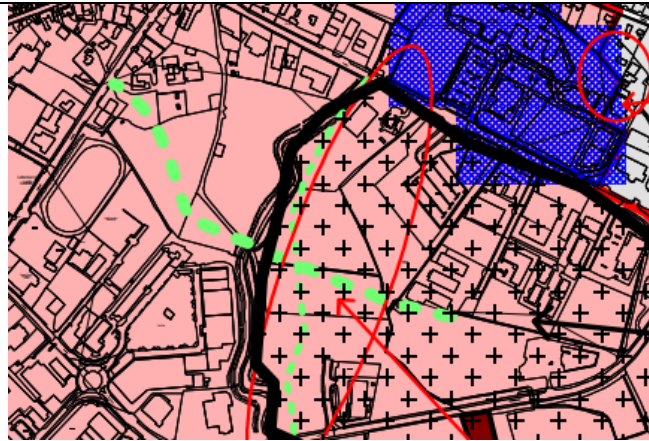
Recommendation

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 47.

PROPOSED MATERIAL ALTERATION MA 48

Proposed Material Alteration: 48

MA48: Land Use Zoning Map: Amend the legend of the land use zoning map to read 'LK Green Connect' in lieu of 'Indicative Active Travel Route'.



OPR Comments at Draft Plan Stage:

Whilst generally supportive of the principle of the active travel ambitions of the Plan, did not comment on the specifics of this issue.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Addressed the core concern contained in a submission made by Turley Consultants on behalf of Hurley Property ICAV, owner of the Letterkenny Retail Park. The referenced concern was that an 'Indicative Active Travel Route' identified on the Zoning Map appeared to cut through their ownership. DCC was requested to review this route to ensure that it did not unintentionally constrain development opportunities.

The response provided in the Report remains relevant and is therefore reproduced below for ease of reference:

*'Whilst the future phase of this commercial/retail development as described in the submission is considered appropriate in this town centre location, the provisions for future active travel walking and cycle connections proposed as part of the LK Green Connect public realm scheme is an important aspect of the Letterkenny 2040 Regeneration Strategy. Connectivity, permeability and public realm are essential components of the Government's Urban Regeneration and Development Fund (URDF) of which acquisition and construction of phase 1 of the LK Green connect has been funded under and is due to complete in April 2023. The landowners' submissions relating to the possible conflict and constraining of future development opportunities are noted, however the possible future route of the further phases of LK Green Connect will remain on the Land use zoning map **and any subsequent planning application in the vicinity of same shall have regard to same.**'*

Having regard to these considerations, the Report did not make any recommendations to directly address the concerns expressed in the submission. However, it was recommended to amend the Zoning Map description from 'Indicative Active Travel Route – to 'LK Green Connect' to reflect the progress made with this project.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage

DNCC-C17-19 : Turley Consultants on behalf of Hurley Property ICAV.

Welcomes 'the positive confirmation' (in the above-noted para. of the previous CE Report) of the appropriateness of commercial/retail development in this location of the retail park. Also welcomes the acknowledgement of the 'possible conflicting and constraining nature of the LK Green Connect with respect to future development opportunities/proposals within their client's land'. Advises that their client acknowledges the importance of enhancing connectivity, permeability and public realm within the town centre area. However, concerned that the sentence coloured red in the extracted text above does not clarify how subsequent planning applications in the vicinity of the 'LK Green Connect' are to 'have regard' to it, and that this could therefore lead to unintended consequences such as delays or constraining development opportunities/proposals, or preventing DCC from making positive decisions on planning applications for future development opportunities/proposals.

Requests the insertion of additional objectives and/or policies with respect to the 'LK Green Connect' to ensure that clarity is embedded in policy for all potentially affected landowners. The submission then provides suggested wording for DCC's consideration with respect to additional objectives which would provide helpful clarity for adjoining landowners:

- To actively engage with, and consult, adjoining landowners as key stakeholders in respect of future phases of the 'LK Green Connect' to ensure that the 'LK Green Connect' is located/sited/designed in a manner which positively relates to, and complements, their development ambitions/opportunities.
- To support development proposals in the vicinity of the 'LK Green Connect' which are designed to complement and enhance this key active travel route including proposals which are brought forward in advance of future phases of the 'LK Green Connect'.
- To ensure that the location/siting/design of the 'LK Green Connect' responds positively to the development ambitions of adjoining landowners.

Chief Executive's Response

This LK Green Connect project will provide for car free, walking and cycling active travel infrastructure from the Neil T Blaney road continuously to Pearse road with further onward connections, and is integral to the achievement of an increase in sustainable travel in the town. The LAP has a key role to play in ensuring that the project is achieved in full. The Regeneration Unit recently commenced work to prepare a Part 8 Proposal for Phase 2 which will link from the Isle Burn (for which Part 8 has already been secured) to Pearse Road. On that basis, it is intended to begin to engage with landowners in the coming weeks with a view to enabling the effective integration of future development proposals, with publication of the Part 8 to follow thereafter.

Regarding the specific wording of objectives/policies suggested in the submission, it is agreed that the policy framework should include a commitment that DCC will engage with landowners. However, whilst acknowledging again the concerns expressed in the submission, equally I would be concerned that the entirety of such wording may constrain the capacity of development management processes to ensure delivery of the LK Green Connect project. For this reason and having regard to the public interest to be served by ensuring delivery of the project, it is recommended that Policy LTP-TC-P-1 is amended both to provide the commitment to engage with landowners and also to ensure that future development proposals will be located/sited/designed in a manner which positively relates to and complements LK Green Connect.

This recommendation is contained within the Section of the Report dealing with PMA 60 as the relevant Policy LTP-TC-P-1 is addressed therein.

Having regard to the above, the recommendation with regard to the specifics of the subject PMA 48 is that the Plan is made with the PMA.

Recommendation

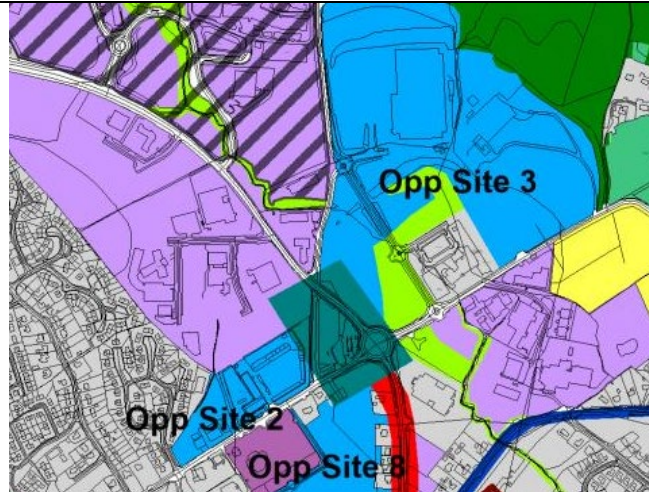
That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 48.

PROPOSED MATERIAL ALTERATION MA 49

Proposed Material Alteration: 49

MA49 Land Use Zoning Map :

Increase the area of Opportunity Site 2 at Ballyraine and decrease the area of the adjacent Opportunity Site 3 accordingly.



OPR Comments at Draft Plan Stage:

OPR commented generally on the Opportunity sites regarding their suitability for residential development and the need for their development to be master planned in conjunction with one another. Particularly referring to OPP sites 2,3,4 and 8.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Did not refer to this issue.

Members' Resolution at Draft Plan Stage:

At the Special Meeting on 10th May the Members raised this issue and discussed the configuration of Opp Sites 2 and 3 and recommended that Opp site 2 is increased in size to take in the area between the site and the junction of the N56. They recommended then to reduce the size of Opp site 3.

Submissions At Proposed Material Alterations Stage:

No submissions received that directly relate to this proposed MA.

Chief Executive's Response:

The Members' proposal is considered acceptable.

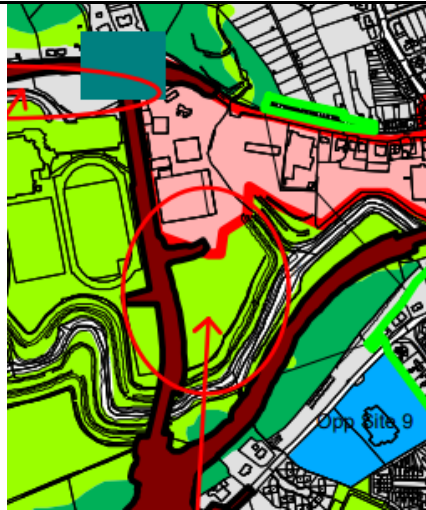
Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 49.

PROPOSED MATERIAL ALTERATION MA 50

Proposed Material Alteration: 50

Rezone an area of land (to the rear of the Charles Kelly store, see Map below) from Town Centre to Open Space.



OPR Comments at Draft Plan Stage:

That the planning authority has prepared a Draft LAP that does not provide for an appropriate level of flood risk management, consistent with a national objective under the NPF, in view of the increased future risks to property and people associated with climate change and, in particular, potential sea level rise.

The Office welcomed the preparation of a Strategic Flood Risk Assessment (SFRA) to inform the draft LAP, including the production of detailed flood risk mapping for the town, which provides a clear picture of lands at most risk (flood risk zone A and B), and the preparation of some plan-making Justification Tests. The Office was concerned that the SFRA did not align fully with the Mid-Range Future Scenario set out by the OPW or the High-End Future Scenario, particularly in view of the settlement's location adjacent a tidal estuary and river, where coastal flood risk can be anticipated to be exacerbated by climate-change induced sea level rise. Noted the importance of including appropriate mitigation for climate change impacts in the LAP, such as avoiding development in areas prone to flooding in the future, providing space for future flood defences, specifying minimum floor level and setting specific development management objectives.

The OPR recommended reviewing and amending the SFRA and either omitting or appropriately amending proposed zonings that do not meet with the provisions of the plan-making justification test.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Further to a review of the Strategic Flood Risk Assessment it was noted that the subject lands are contained within flood zone A and accordingly it was recommended that the subject be zoned as 'Open Space'.

Members' Resolution at Draft Plan Stage:

To accept the proposed material alteration.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-9: Office of Public Works

Welcomes PMA 50.

DNCC-C17-24: Harley Planning Consultants Ltd. on behalf of Charles Kelly Ltd.

This submission goes into background detail on the landowner, his reasons for relocation from the Lower Main Street to this edge of town centre site and his future intentions for the subject site where his commercial business currently continues to operate. The submission also charts the history of land use zoning on the applicant's site and states that the landowner Mr Kelly was well aware of the road reservation for the southern road realignment project that has been reserved in previous plans. The submission notes the change of proposed land use from the publishing of the Draft Plan in January 2023 and to that now published in the Material Alterations in August 2023, notwithstanding that the PA should have proposed this land use change in January when it was first known.

The submission requests the same level of consideration in the future development of the subject lands as that afforded to lands east of the Isle Burn by way of policy LK-TC-P-10.

Chief Executive's Response

It is accepted that the flood risk status of the lands in question should have been noted prior to the publishing of the Draft plan. Notwithstanding, a review of the information pertaining to flood risk within the plan area, and in particular the evidence in respect of the subject lands, led to a recommendation to rezone part of the Charles Kelly lands as 'open space' on the basis that the lands are within flood zone A, where it would be inappropriate to locate development vulnerable to flooding. It is not considered that this prejudiced the landowner in any way, as the proposed change has been subject to a public consultation exercise as part of the 'material alterations' stage of the plan making process.

With regard to the comparison between the lands subject of PMA 50 and the existing commercial units to the east of the Isle Burn, it should be noted that proposed Policy LK-TC-P-10 (which deals with uses east of the Isle Burn) allows in principle for limited works to *existing* buildings in accordance with the provisions of the Planning System and Flood Risk Management Guidelines. The lands subject of PMA 50 however, are not developed; they are greenfield lands that cannot be justified for uses vulnerable to flooding on that basis that there are suitable alternative town centre lands in areas at lower risk of flooding.

Recommendation

That Members resolve to make the Letterkenny Plan and Local Transport Plan with Material Alteration Ref. MA 50.

PROPOSED MATERIAL ALTERATION MA 51

Proposed Material Alteration: No 51:

Chapter 15 'Transport Policy Framework'. Section 15.3: 'National Guidance':

Insert text (nb. text was included at Appendix A of PMA's document) to demonstrate how the Local Transport Plan (LTP) complies with Regional Policy Objective (RPO) 6.27 in the Northern and Western Regional Assembly's Regional Spatial and Economic Strategy.

OPR Comments at Draft Plan Stage:

Welcomed the preparation of the LTP 'to inform the LAP' but advised of concerns about the approach taken by the planning authority in preparing the LTP and its integration into the LAP. Specifically, regarding the application of the ABTA methodology, advised that although the LTP refers to the ABTA advice note, it had not applied the methodology to consider all transport modes and to identify key opportunities to improve access to/from places where people live to where they work, study, play, shop or relax.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted the significance of the concerns expressed in submissions from NTA TII, OPR and NWRA that the ABTA guidance document was not adequately considered/applied, and therefore that the requirements of RPO 6.27 were not fully complied with. However, also noted that the ABTA methodology is detailed and complex and likely to be of most benefit in the case of much bigger city-scale settlements and that, for such reasons, an approach more tailored to the scale of Letterkenny whilst having regard to the principles of the ABTA approach was formulated and steered by the Planning Service in consultation with Council Senior Engineers and Atkins Consultants.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-27: The National Transport Authority (NTA).

Notes that additional work has been undertaken on foot of their previous submission to align the Plan with the ABTA methodology but that the text in the PMA does not fully set out how the LTP complies with RPO 6.27 as only Parts 1-3 of the ABTA process are addressed. Recommends that the text is expanded to reflect how the LTP adheres to all stages of the ABTA process.

DNCC-C17-27: OPR

Notes that a significant number of issues were raised by the Office in its submission on the 'draft LAP' concerning transport infrastructure and access issues, reflecting the concerns of the NTA and TII and current sustainable transport policy. In this context, welcomes many of the extensive Material Alterations to the Local Transport Plan (LTP) in consultation with the NTA. Advises that 'while these amendments will assist the planning authority in implementing a more sustainable approach to the management of development of the town, (they) consider that earlier engagement with the NTA to gain a better understanding of the ABTA methodology would have provided the potential to increase active and sustainable travel and to relieve traffic congestion in the town consistent with national policy.' Of note here is that the OPR does not make any further recommendations regarding the LTP.

Chief Executive's Response:

The comments of the OPR and NTA in respect of compliance with RPO 6.27 are noted.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. 51, subject to the following additional text at Section 15.3:

Part 4 - Refinement & Sense Check the Proposals.

- Consultation with NTA regarding inline service / depots / routes and route review / future routes and options for consideration / bus stop signs and shelters / funding mechanisms / part 8 planning and incorporating bus route infrastructure into same (or generically if necessary) / review of town centre route and how one ways would work with bus stops on 2 way sections if possible.
- DCC to further review possible bus stop locations based on NTA advise and further development of the one way system. NTA still to progress route design and on site engagement for resilience check and amendments as required.

Part 5 - Finalisation of the Plan

- Development and finalisation of a Land use transportation plan.
- Proposed transport interventions and enhancements across all networks: walking, cycling, public transport consistent with the future development of the town and the land use zoning ambitions of the town.
- Inclusion of active travel phasing timeline.

Part 6 - Monitoring and Review

- Post adoption monitoring and review practices will be initiated and established.
- Monitoring of delivery timeline of Active travel projects.
- Continued collaboration with NTA to ensure efficient and effective delivery of public transport network enhancements as proposed.
- Further monitoring of how all network improvements interact with one another.

PROPOSED MATERIAL ALTERATION MA 52

Proposed Material Alteration: No 52:

Chapter 19: 'Active Travel Strategy' to be renamed Chapter 19: 'Walking/Pedestrian Strategy': Map 19.2.

Divide the content of Map 19.2 from 1 map to 2 maps; i.e. Maps 19.2A 'Proposed Walking Network' and 19.2B 'Proposed Cycle Network' – See Appendix B.
(nb Maps were presented in Appendix B of the Proposed Mas document).

OPR Comments at Draft Plan Stage:

Welcomed the preparation of the LTP 'to inform the LAP' but advised of concerns about the approach taken by the Planning Authority in preparing the LTP and its integration into the LAP. Specifically, regarding active travel, concerned that the LTP addressed walking and cycling as a collective 'active travel' mode, when these modes have different infrastructure requirements, especially in a town of hills, notwithstanding that they are compatible modes and can frequently share infrastructure. Advised, therefore, that the pedestrian and cycling networks needed to be set out separately, including integrating these networks with the active travel schemes referred to in the draft Plan.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Acknowledged that the Draft LTP addressed walking and cycling as a single mode. Also acknowledged the statutory bodies' references to the ABTA guidance and the Department of Transport's 'National Investment Framework for Transport in Ireland (NIFTI) and their strongly worded advice that walking and cycling should be considered separately.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

Submission DNCC-C17-20: IDA Ireland

Notes that new 'Map 19.2A –Walking Network' includes new 'Proposed Permeability' routes through their lands not previously included at Draft Plan stage. Notes general support for the principle of walking routes and enhanced permeability/connectivity as positive urban design and placemaking principles, but respectfully requests that DCC inserts a clarification in the adopted Plan, or provides a clarifying response in the Chief Executive's Report which confirms the following – '*The appropriate location/siting/design of any permeability routes which traverse IDA lands will be determined during detailed design and planning application stages, i.e. the lines on the maps accompanying the Draft Plan are indicative only and have been inserted to identify general locations where permeability/connectivity can be improved.*'

Submission DNCC-C17-30: OPR

Welcomes many of the extensive Material Alterations to the Local Transport Plan (LTP) in consultation with the NTA. The additional objectives and policy in respect of sustainable transport and the inclusion of a walking / pedestrian strategy, a public bus network and use of the software package 'Accessibility to Opportunities and Services' (ATOS) are broadly welcomed.

Chief Executive's Response:

This PMA, along with PMA's 53, 55 and 56, were prepared to address the concerns of the OPR and NTA to review the approach to active travel generally, inclusive of separating out walking and cycling

modes. The broad support of the OPR and NTA for this work, as referenced above, is welcomed.

The identification of new 'Proposed Permeability' routes through IDA lands not previously included at Draft Plan stage is acknowledged, as is their request for the insertion of clarification text.

Policy LTP-AT-P-2 in the Draft LTP sets out the policy requirement for the delivery through development proposals of active travel connectivity. The IDA's request can be accommodated by means of a general amendment to this policy that will apply to all relevant development proposals and not just those affecting IDA lands. This is considered to be a non-material edit.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA 52, subject to the following.

To make non-material edits to policy LTP-AT-P-2 (new text in blue, deleted text in ~~red-strikethrough~~, to read as follows:

LTP-AT-P-2: It is a policy of the Council to:

- a. Require that all new proposed development(s) where appropriate, shall include active travel connectivity using permeability desire lines ~~by including incorporating~~ filtered pedestrian permeability link(s) to adjoining land uses where such links would serve a meaningful purpose in terms of promoting active travel and/or connecting to a wider walking and cycle network. Detailed design of such links shall be agreed at pre-planning design stage, thereafter incorporated into finalized schemes, and delivered by the developer. This policy shall be applied to secure the delivery of those Schemes listed in Table 19.1 and other opportunities that may present.
- b. Ensure new residential and commercial development(s) shall be designed to the latest DMURS¹ standards, unless precluded by space or other constraints, to be accessible and permeable for pedestrians, cyclists, vulnerable road users and those of reduced mobility.

PROPOSED MATERIAL ALTERATION MA 53

Proposed Material Alteration: No 53

Chapter 19, Section 19.3. – 'Area Assessments'

Replace with new Section 19.3 entitled 'Letterkenny Walking/Pedestrian Strategy' – See Appendix B. (nb. New text was presented in Appendix B of the PMA's document).

OPR Comments at Draft Plan Stage

Welcomed the preparation of the LTP 'to inform the LAP' but advised of concerns about the approach taken by the Planning Authority in preparing the LTP and its integration into the LAP. Specifically, regarding active travel, concerned that the LTP addressed walking and cycling as a collective 'active travel' mode, when these modes have different infrastructure requirements, especially in a town of hills, notwithstanding that they are compatible modes and can frequently share infrastructure. Advised, therefore, that the pedestrian and cycling networks needed to be set out separately, including integrating these networks with the active travel schemes referred to in the draft Plan.

Chief Executive Comments/Recommendation at Draft Plan Stage

The comments made by the NTA in respect of the combining of the 2 modes of sustainable transport were addressed in detail. The benefits in separating out the modes were acknowledged, albeit that it was noted that some routes will coincide in several locations as routes suitable for walking will also be suitable for cycling. Report went on to note that on foot of engagements with the NTA, separate and revised walking and cycling maps, and a revised public transport map had been produced in accordance with the submitted requests. Also noted that the revised maps incorporated some additional elements identified through the NTA's ATOS (Accessibility to Opportunities and Services) tool and that the maps also contain representations of the active travel corridors of strategic roads projects, as opposed to a representation of the entire network project.

Members' Resolution at Draft Plan Stage

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

Submission no 30: Office of the Planning Regulator:

Broadly positive response regarding the now proposed individual walking and cycling strategies and broadly welcomes many of the extensive Material Alterations to the Local Transport Plan (LTP) in consultation with the NTA.

Chief Executive's Response:

This PMA, along with PMA's 52, 55 and 56 were prepared to address the concerns of the OPR and NTA to review the approach to active travel generally, inclusive of separating out walking and cycling modes. The broad support of the OPR and NTA for this work, as referenced at PMA 51 above, is welcomed, as is the broad support of the OPR for this specific PMA.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA MA 53.

PROPOSED MATERIAL ALTERATION MA 54

Proposed Material Alteration: No 54. To be read in conjunction with PMA's 57, 60 (part thereof), 61 (part thereof) and 62 (part thereof).

Chapter 20: 'Strategic Roads Strategy' renamed to 'Public Transport Strategy'.
(Previously Chapter 22. In Draft Plan.) Revise Map 20.1 – 'Public Bus Networks'.

(nb. New map was presented in Appendix C of the PMA's document).

OPR Comments at Draft Plan Stage

OPR (and the NTA) noted two broad concerns regarding the Public Transport Strategy generally. Firstly, that there was an insufficient 'level of detail to give an understanding of how public transport services will operate within and through the town at a local level'. Noted that there were no details as to what interventions, if any, may be required to facilitate public transport movement and priority within the town centre and to other key destinations. Secondly, the absence of commentary around the NTA's 'Connecting Ireland: Rural Mobility Plan' was referenced and a clear recommendation given that the role of that Plan should be acknowledged.

Specifically, regarding the Public Bus Network map, stated that each network should be illustrated individually to establish the current status of each one.

Chief Executive Comments/Recommendation at Draft Plan Stage

Advised that during the process of preparing the Draft LTP there was significant engagement with the NTA on the issue of how the town's existing bus services could be improved, and that this resulted in the identification of two additional routes. Noted that these routes were shown in Map 22.1 in the Draft LTP but acknowledged that this diagrammatic-style map was not clear, and lacked detail as to what interventions, as referenced by the OPR and NTA, may be required.

Also advised that Planning and Roads Directorates had had further constructive engagements with NTA officials and that, arising from these discussions, several amendments were recommended. These included a recommendation to revise the Public Bus Networks Map as per this PMA. Other recommended amendments to the Public Transport Strategy are addressed in PMA's 57, 60 (part thereof), 61 (part thereof) and 62 (part thereof).

Members' Resolution at Draft Plan Stage

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-30: OPR

Refers to the 'significant number of issues' raised by the Office in its submission concerning transport infrastructure and access issues, reflecting the concerns of the NTA and TII and current sustainable transport policy. Having done so, 'welcomes many of the extensive Material Alterations to the LTP in consultation with the NTA'. Specifically welcomes various individual elements of the PMA's including the additional objectives and policy in respect of 'a public bus network'.

Chief Executive's Response:

As is evidenced by the comments of the OPR and NTA, the approach to public transport, particularly the bus networks, have been strengthened considerably with the content of proposed PMA's 54, 57, 60 (part thereof), 61 (part thereof) and 62 (part thereof). The broad support of the OPR is welcome. The support and assistance of the NTA during the period after submissions on the Draft Plan should

also be acknowledged.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 54.

PROPOSED MATERIAL ALTERATION MA 55

Proposed Material Alteration: No. 55.

Chapter 19: Active Travel Strategy

Delete existing Table 19.1: 'Compilation of Identified Active Travel Schemes' and insert new Table 19.1 incorporating additions and ATOS tool proposals, now proposed to be contained within Section 19.3.

(nb. New text was presented in Appendix B of the PMA's document)

OPR Comments at Draft Plan Stage:

Welcomed the preparation of the LTP 'to inform the LAP' but advised of concerns about the approach taken by the Planning Authority in preparing the LTP and its integration into the LAP. Specifically, welcomed the inclusion of Table 19.1 noting the assessment of projects against a Multi-Criteria Analysis Framework. However, also noted the omission from the Table of: (i.) additional 'proposed interconnecting routes' and 'local permeability' interventions identified in Map 19; and Active Travel Projects identified in the Zoning Map for the Town Centre Core Area and the routes shown on the town centre zoning map.

Chief Executive Comments/Recommendation at Draft Plan Stage:

Noted the comments of the OPR and the NTA. Also noted NTA suggestions that additional schemes could be identified through the deployment of their ATOS tool which would identify gaps in networks and potential minor schemes to enhance existing networks. Noted that this tool helped identify a small number of new schemes and that the table was updated to incorporate these.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-27: OPR

Specifically acknowledges the use of the NTA's Accessibility to Opportunities and Services (ATOS) tool.

DNCC-C17-27: The National Transport Authority (NTA).

Note that whilst additional work has been included related to active travel schemes (Table 19.1) it is difficult to get a clear understanding of the rationale for the proposals, and the potential benefits. Whilst noting that the proposals seem appropriate, advise that the schemes must be presented in a manner which highlights the requirements and potential benefits both locally and as part of the wider integrated transport network for Letterkenny. Recommends that the text is revised to clearly illustrate this rationale.

Chief Executive's Response:

This PMA, along with PMA's 52, 53 and 55 were prepared to address the concerns of the OPR and NTA. The guarded support of the OPR and NTA for this work, as referenced at PMA 52 above, is welcomed, as is the broad support of the OPR for this specific PMA in terms of the use of the Accessibility to Opportunities and Services (ATOS) tool.

The NTAs comments in respect of the proposed Active travel schemes and the associated text is noted. The additional schemes listed in Table 19.1 have been identified using the NTAs GIS ATOS tool and through local knowledge. These schemes have the potential to connect to existing sustainable

modes networks and improve connectivity by opening up desire lines.

The potential benefits are included in the text however for further clarity, the text could be revised and set out in tabular form as a summary at the end to clearly set out the benefits locally and as part of the wider integrated transport network.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA MA 55 subject to a non-material amendment of the text associated with Table 19.1, to ensure it clearly identifies the benefits of the active travel schemes both locally and as part of the wider integrated transport network.

PROPOSED MATERIAL ALTERATION MA 56

Proposed Material Alteration: No. 56. (nb. to be read in conjunction with PMA's 58 and 60)

Chapter 19 – 'Active Travel Strategy. Renamed "Walking /Pedestrian Strategy'.
Section 19.4: 'Active Travel Policies and Objectives'.

Insert new objectives in Section 19.4 'as follows (new text in blue) –

LTP-AT-0-2: To support the progress and implementation of the 'Letterkenny 2040 Regeneration Strategy, Linkages and Public Space Action plan and Letterkenny Design Concepts and to support any future subsequent phases of the project as funded under the URDF.

LTP-AT-0-3: To support the development and implementation of pilot mobility schemes for the encouragement and development of multi modal travel in Letterkenny.

LTP-AT-0-4: To support the delivery of the National Transport Authorities (*) National Cycle Network 'Cycle Connect' and the development of an extensive cycling network across the county.
(* errata – should read 'National Transport Authority's')

Insert new policy as follows (new text in blue) –

LTP AT-P-4: It is a policy of the council to continue to work with the National Transport Authority to enable the development of a future electric bike, including other electric scooters, hire scheme for the town.

OPR Comments at Draft Plan Stage:

General comments welcoming preparation of the LTP in conjunction with the LAP but also expressed strong concern that the Plan was overly focussed on road building projects and thus was not consistent with more recent transport policy to reduce carbon emissions by facilitating and encouraging walking, cycling and other sustainable modes.

Chief Executive Comments/Recommendation at Draft Plan Stage:

The Chief Executives report in general terms sets out how the LTP will be more focused on sustainable modes of transport, including through separating out the modes from a general description of 'Active travel' to Walking and Cycling.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received that directly relates to this PMA.

Chief Executive's Response:

The 3 new objectives and one policy were developed as part of a broader range of responses to the concerns of the OPR (and NTA).

LTP-AT-O-2: The Regeneration Strategy was launched in late 2022, ie. after the content of the Draft Plan was agreed by the Members. Given that the Strategy contains proposals for meaningful enhancements to the existing town centre active travel networks, it was considered appropriate to address this weakness in the Draft Plan. Proposed Objective LTP-AT-O-2 was part of the solution. This measure should assist in making the Plan robust and future proofed to avail of future government funding opportunities. PMA 58 includes a new table identifying/listing specific town centre interventions. Similarly, PMA 60 contains a new policy that supports, inter alia, [the principle of the delivery of the 'Town Centre Linkages' as set out in Section 21.2, numbers 1-22.](#) The referenced

policy essentially requires the detailed identification of projects as proposed in this subject PMA. The cumulative effect of PMA's 56 (as it refers to Policy LTP-AT-O-2), 58 and 60 should be to ensure that this Plan contains comprehensive and effective support for the delivery of meaningful interventions in the town centre.

LTP-AT-O-3 : This objective provides support for the implementation of future sustainable mobility opportunities that may occur given the town's status as a Regional Growth Centre and the need for the provision of such schemes to provide for residents, visitors and student populations. This measure should assist in making the Plan robust and future proofed to avail of future government funding opportunities.

LTP-AT-O-4 : Considered essential given the existence of the NTA's cycle network within the network of the town.

LTP AT-P-4: The NTA is the national authority with responsibility for developing and implementing strategies to provide high quality, accessible, sustainable transport across Ireland and therefore the commitment to working with this body is considered essential as part of the overall delivery of sustainable transport solutions for the town.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 56.

PROPOSED MATERIAL ALTERATION MA 57

Proposed Material Alteration: No. 57: To be read in conjunction with PMA's 54, 60 (part thereof), 61 (part thereof) and 62 (part thereof).

Chapter 20: ' Strategic Roads Strategy renamed to 'Public Transport Strategy'.

Insert new Section 20.3 entitled 'Proposed Intervention Measures for Implementation of an Enhanced Town Centre Public Transport Network'.

(nb. New text was presented in Appendix E of the PMA's document.)

OPR Comments at Draft Plan Stage:

OPR (and the NTA) noted two broad concerns regarding the Public Transport Strategy generally. Firstly, that there was an insufficient 'level of detail to give an understanding of how public transport services will operate within and through the town at a local level'. Secondly, the absence of commentary around the NTA's 'Connecting Ireland: Rural Mobility Plan' was referenced and a clear recommendation given that the role of that Plan should be acknowledged.

Specifically, regarding this PMA, noted that there were no details as to what interventions, if any, may be required to facilitate public transport movement and priority within the town centre and to other key destinations.

Chief Executive Comments/Recommendation at Draft Plan Stage

Advised that during the process of preparing the Draft LTP there was significant engagement with the NTA on the issue of how the town's existing bus services could be improved, and that this resulted in the identification of two additional routes. Noted that these routes were shown in Map 22.1 in the Draft LTP but acknowledged that this diagrammatic-style map was not clear, and lacked detail as to what interventions, as referenced by the OPR and NTA, may be required.

Also advised that Planning and Roads Directorates had had further constructive engagements with NTA officials and that, arising from these discussions, several amendments were recommended. These included a recommendation to insert a new section to address the OPR's (and NTA's) concern around the absence of proposed intervention measures as per this PMA. Other recommended amendments to the Public Transport Strategy are addressed in PMA's 54, 60 (part thereof), 61 (part thereof) and 62 (part thereof).

Members' Resolution at Draft Plan Stage

To accept MA 57.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-30: OPR

Refers to the 'significant number of issues' raised by the Office in its submission concerning transport infrastructure and access issues, reflecting the concerns of the NTA and TII and current sustainable transport policy. Having done so, 'welcomes many of the extensive Material Alterations to the LTP in consultation with the NTA'. Specifically welcomes various individual elements of the PMA's including the additional objectives and policy in respect of 'a public bus network'.

Chief Executive's Response:

As is evidenced by the comments of the OPR and NTA, the approach to public transport, particularly the bus networks, have been strengthened considerably with the content of proposed PMA's 54, 57, 60 (part thereof), 61 (part thereof) and 62 (part thereof). The broad support of the OPR is welcome. The support and assistance of the NTA during the period after submissions on the Draft Plan should

also be acknowledged.

Proposed MA. 57 sets out a summary of the potential future intervention measures that may be necessary to assist and ensure the integration and operation of an enhanced public transport service within the town centre to better meets the needs of the town's residents and the town centre users. The NTA has strongly advised that proposed future physical interventions should be included in any Local Transport Plan to ensure such measures can form part of any proposed funded schemes by the NTA. As well as identifying the schemes, the reasons why they are required to help develop the town bus service in a way that meets the needs of the town should also be set out.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 57.

PROPOSED MATERIAL ALTERATION MA 58

Proposed Material Alteration: No. 58: (nb. to be read in conjunction with PMA's 56 and 60)

Chapter 21: 'Town Centre Transport Strategy' – Insert New Table 21.1 entitled 'Town Centre Linkages'.

(nb. New table 21.1 was presented in Appendix F of the PMA's document.)

OPR Comments at Draft Plan Stage:

General comments welcoming preparation of the LTP in conjunction with the LAP but also expressing strong concerns that the Plan was overly focussed on road building projects and thus was not consistent with more recent transport policy to reduce carbon emissions by facilitating and encouraging walking, cycling and other sustainable modes.

Chief Executive Comments/Recommendation at Draft Plan Stage:

On foot of the submissions from the NTA, TII and OPR, following the subsequent engagements with the NTA, and following the publication of the LK 2040 Regeneration Strategy the Town Centre Transport Strategy was reviewed with a review to strengthening the Plan in terms of its support for and town centre measures in general, and the Regeneration Strategy in particular. This review led to, inter alia, a recommendation to include this Table.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

No submissions received that directly relates to this MA.

Chief Executive's Response:

PMA 56 includes a new objective (LTP-AT-0-2): [To support the progress and implementation of the 'Letterkenny 2040 Regeneration Strategy, Linkages and Public Space Action plan and Letterkenny Design Concepts and to support any future subsequent phases of the project as funded under the URDF. Similarly, PMA 60 contains a new policy that supports, inter alia, the principle of the delivery of the 'Town Centre Linkages' as set out in Section 21.2, numbers 1-22.](#) The referenced policy essentially requires the detailed identification of projects as proposed in this subject PMA. The cumulative effect of PMA's 56, 58, 60 and 62 should be to ensure that this Plan contains comprehensive and effective support for the delivery of meaningful interventions in the town centre.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 58.

PROPOSED MATERIAL ALTERATION MA 59

Proposed Material Alteration: No. 59 :

Chapter 22: 'Public Transport Strategy' Renamed as '**Strategic Roads Strategy**'. **Section 22.2.2: 'Strategic Roads'**. (Note: This section was previously numbered as Section 20.2 'entitled 'TEN-T PRIPD'.)

Policy LTP-T-P-2: It is a policy of the council to permit the development of lands to the south of the N56 Four Lane Road by means of access only via the existing local road junctions or alternatively by a single improved junction to the N56, replacing the existing poorly aligned Cullion Road and junction. Existing developed and developable lands to the north and adjacent to the N56 Four Lane Road and for which no other existing access is available, these may be accessed by a restricted number of new left-in/left-out accesses, subject to the safety and carrying capacity of the National Road being maintained

Policy LK-T-P-3: It is a policy of the council that development proposals requiring access to the N56 Business Park Road shall only be permitted where such proposals are consistent with the Council's strategy to:

- a. Provision of new/improved Active Travel facilities along and across the N56;
- b. Provision of two new Primary signalised junctions and rationalise existing junctions and accesses to enable permeability across the N56 for non-motorised users and to facilitate improved function and efficiency on the N56; and
- c. implement a reduced speed limit to provide consistency along the N56 and to facilitate junction arrangements.

Policy T-P-4: It is a policy of the council to signalise and rationalise the existing junctions, from the Polestar to the Creamery roundabout and to provide new and improved Active Travel facilities along and across the N56, including potential road-space re-allocation where feasible, in conjunction with the signalised junctions.

Policy T-P-5: It is a policy of the council to:

- a. provide new/improved Active Travel facilities along and across the N56 from the N56 Knocknamona Roundabout extending to the Mountain top, to improve connectivity and permeability for pedestrians and cyclists.
- b. rationalise existing junctions and accesses by providing new Primary Junctions to improve safety, connectivity, permeability, function and efficiency of this section of the N56 for all road users.

OPR Comments at Draft Plan Stage:

Concerned that the wording of Objective LK-ED-O-2 and Policy LK-EDE-P-2, while seeking to safeguard the carrying capacity, function and safety of the N56 would facilitate new and intensified access onto the national road under certain circumstances. Concluded that this approach was 'inconsistent with RPO 6.5 in the RSES and the *Strategic Planning and National Roads Guidelines for*

Planning Authorities (2012). Required the undernoted amendments (nb. the TII also made the same recommendations)

Policy LK-EDE-P-2 (re Four Lane Road)

Policy LK-EDE-P-2: It is a policy of the Council to continue to avoid ~~an ad-hoc proliferation of the creation of~~ new or intensified existing access points along the N56 Four Lane Road. The Council will ~~prepare an access strategy to~~ consider limited and coordinated new junctions, or the intensification of use of existing junctions, where such proposals are presented and considered as part of an overall plan maximizing serviced areas and minimizing junctions, and where it can be clearly demonstrated that such development:

- a. would not affect the capacity, operation or safe functioning of the road; and*
- b. would not prejudice the servicing of adjacent areas.*

Such an access strategy will include consultation with TII and is required to be plan-led and evidenced based for inclusion in the Local Area Plan. Pending the incorporation of an agreed access strategy for the N56 Four Lane Road into the Local Area Plan, the Council policy shall be to avoid the creation of new or intensified existing access points along the N56 Four Lane Road

Objective LK-ED-O-2 (re Business Park Road)

Objective LK-ED-O-2: It is an objective of the Council to safeguard the carrying capacity, functioning and safety of urban sections of the N56 National Secondary Route in Letterkenny as a key strategic transport corridor, lifeline route and multimodal urban connector. Pending the development of an agreed transport solution and access strategy for the N56 Business Park Road, to be incorporated into the Local Area Plan, the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kph applies. ~~The Council will ensure that any development seeking direct access or that would result in the intensification of use of existing access points or junctions is designed and assessed to ensure that the capacity, operation and safe function of the N56 are preserved and/or improved. Where applicable, any development will tie in with any established or developed Junction Strategy/Policy for this key route as and where such are set out.~~

Chief Executive Comments/Recommendation at Draft Plan Stage:

OPR (and TII, NWRA and NTA) Comments

Noted the significant concerns of the OPR, TII, NWRA and NTA regarding the development management policies for the N56 Letterkenny Urban as contained in the Draft Plan. Also noted that these concerns were placed in the context of a suite of national policy instruments, and references to the RSES and the support contained therein for national policy including RPOs 6.5, 6.6 and 6.7. Went on to set out how TII commented as follows: *'Within Letterkenny, the N56 national secondary road is a strategic route that provides important connectivity within Donegal and provides onward connectivity to the N113 and N15 national primary roads, both of which are part of the TEN-T comprehensive network. Additionally, the N56 national road provides access to goods and services for peripheral communities and provides economically important onward connection to national markets, and via ports and airports, to international markets'. Taking account of these factors, TII highlighted that: 'particular concern arises from access proposals to the N56 which it is considered conflict with NPF National Policy Objective 74, NPF National Strategic Outcome 2 and RSES Regional Policy Objective 6.5.'*

Response

Noted:

~ The critical multimodal transportation corridor function of the N56 Urban in enabling movement of all goods, services and people within and around Letterkenny and supporting compact urban growth, economic development and modal shift as envisaged under national, regional and local policies was noted;

~ That it provided the sole primary access to and from Letterkenny for all vital emergency services and the limited network resilience means that any operational issues arising can rapidly result in

shutdown and significant disruption to these services and the wider town.

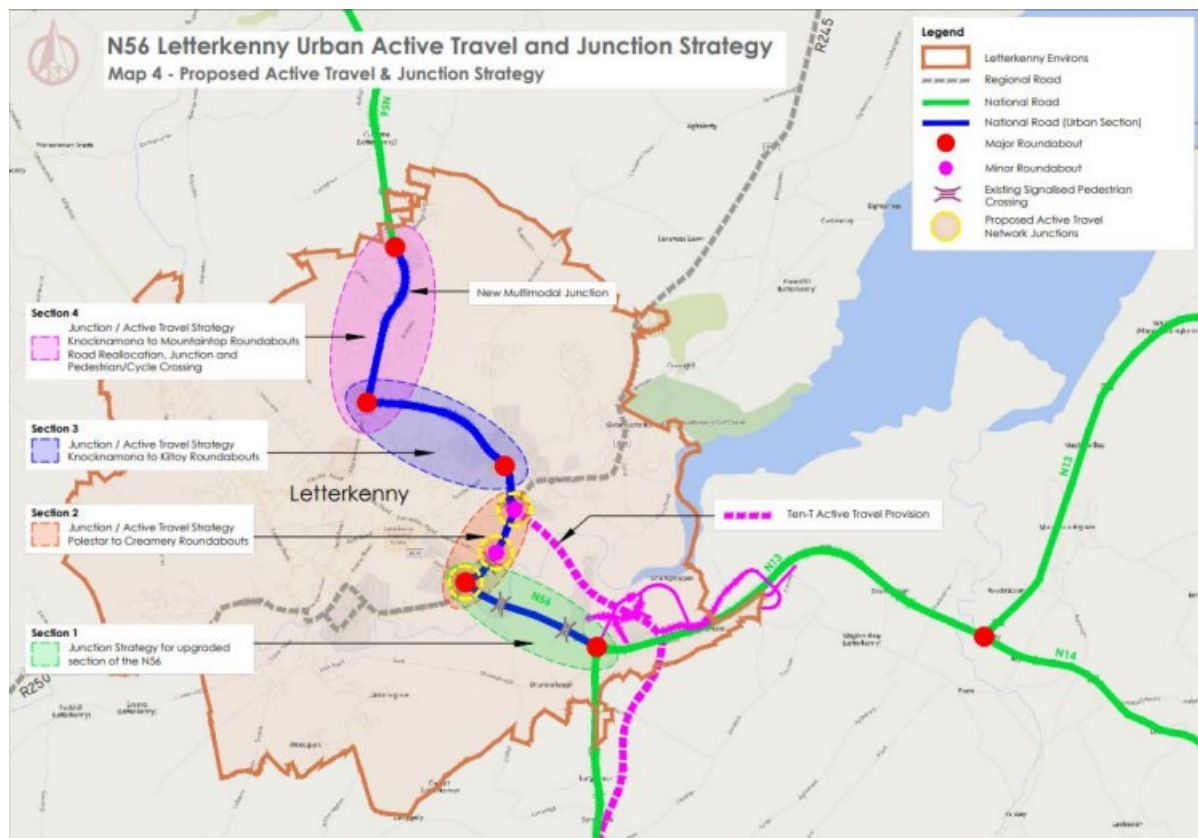
Set out that planning policy in respect of the N56 Letterkenny Urban was to create a safe and attractive Active Travel corridor that facilitates active travel modes along and across the N56 through Letterkenny and to safeguard and maintain the function and operation of the N56 as a Strategic distributor and lifeline route for all transport modes. The key policy deliverables with respect to the N56 include provision of new/improved active travel facilities, provision of new crossing facilities, and signalisation and rationalisation of existing junctions. This will enable multimodal connectivity along and permeability across the N56 for all road users and will optimise function and efficiency of the urban N56.

In this context:

~ noted overall that new accesses to the N56 Urban will only be permitted if 'exceptional circumstances' are established in accordance with the Spatial Planning and National Roads Planning Guidelines (DECLG: January, 2012) and County Development Plan Policy; and

~ similarly, development resulting in intensification of an existing junction(s) would have to be consistent with the overall strategy for the N56 and for the particular policy for improvement as contained in the Report.

It was then advised in the Report that for the purposes of planning management and operation, the N56 can be divided into four distinct sections (refer diagram below):



Separate policies were then recommended for each section. These policies were subsequently approved for publication as a PMA and thus can be viewed at the start of this subsection of the Report.

Members' Resolution at Draft Plan Stage:

To accept the PMA.

Submissions At Proposed Material Alterations Stage:

Business Park Road

OPR

1) Acknowledges the additional policy and objective, but 'not satisfied' that the PMAs complies with the recommendation regarding the requirement for an access strategy for the N56 for agreement with TII.

2) Addresses a technical point in that, whereas the Chief Executive's recommendation at Draft stage was to insert the above-noted polices and to delete Objective LK-ED-O-2 and Policy LK-EDE-P-2 contained in the Draft Plan, the latter element was not transposed into the published Material Alteration.

TII

1) Welcomes the engagement that has taken place following their submission on the Draft Plan but notes that 'no agreed access strategy for the Business Park Road has been finalised. On this basis, states that the PMA *'is premature pending the development of an agreed access strategy for the N56 Business Park Road.'* Pending the integration of such agreement, recommends against the adoption of **Policy LTP-T-P-3** as contained in this PMA. Instead, recommends the retention of Objective LK-ED-O-2 as contained in the Draft Plan, subject to the amendment as set out in the part of this subsection above headed: **OPR Comments at Draft Plan Stage.**

2) Also note the technical point referred to by the OPR at Pt. 2 above.

Four Lane Road

OPR

Similar comments as for the Business Park Road.

TII

Similar comments as for the Business Park Road. Pending an agreed access strategy, recommends against the adoption of **Policy LK-T-P-2** as contained in this PMA. Instead, recommends the retention of LK-EDE-P-2 as contained in the Draft Plan, subject to the amendment as set out in the part of this subsection above headed: **OPR Comments at Draft Plan Stage.**

Chief Executive's Response:

The concerns of the OPR and TII are noted and have been reviewed in consultation with the (DCC) National Roads Office.

Business Park Road

It is respectfully submitted that the policy approach being followed by this Authority in terms of fully respecting the requirement to ensure the effective operation of the N56 as a key national transport corridor whilst at the same time recognising the urban function of this section of the road in terms of facilitating limited access is an appropriate way to proceed. The revised **Policy LK-T-P-3** included in the PMA contained, as a first step in this process, a junction strategy to guide prospective applicants in terms of not just access restrictions but also facilitating the improved function and efficiency of the road and the requirement for the incorporation of active travel permeability across the national road . The strategy provides a framework against which such developers can implement the next stage in the process, namely the preparation of detailed junction designs/design reports. Indeed, the current

planning application submitted by ATU is following this process in that the applicants have been requested to develop a detailed junction design report for their proposed junction. That said, it is acknowledged that a further key step in the process is obtaining the support of TII for such proposals. A key diagram has been developed as a visual representation of the key elements of the strategy and the recommendation below includes its incorporation into the policy.

On a point of detail, and in response to TII comments, a modification to the published **Policy LK-T-P-3** is included in the recommendation below. The recommended modification recognises that specifying signalised junctions at this stage is too prescriptive and, instead, provides for the following alternative wording: 'the upgrading of junctions'.

Finally, as alluded to above, the technical point regarding not including the deletion of the Draft Policy in the PMA is noted and is also addressed in the recommendation.

Four Lane Road

Given that the concerns of the TII and OPR on the Four Lane Road are very similar to their respective concerns around the Business Park Road, the comments in response to those issues equally apply to the Four Lane Road.

On a point of detail, and in response to TII comments, a modification to the published **Policy LK-T-P-2** is included in the recommendation below. The recommended modification recognises that the element of that version of the policy providing support, albeit heavily qualified support for a restricted number of new left-in/left-out accesses on the north side of the Four Lane Road is not consistent with national policy and is also not consistent with the approach being taken at the Business Park Road. A key diagram has been developed as a visual representation of the key elements of the strategy and the recommendation below includes its incorporation into the policy.

Finally, as alluded to above, the technical point regarding not including the deletion of the Draft Policy in the PMA is noted and is also addressed in the recommendation.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with Material Alteration Ref. PMA 59 subject to the following:

Business Park Road

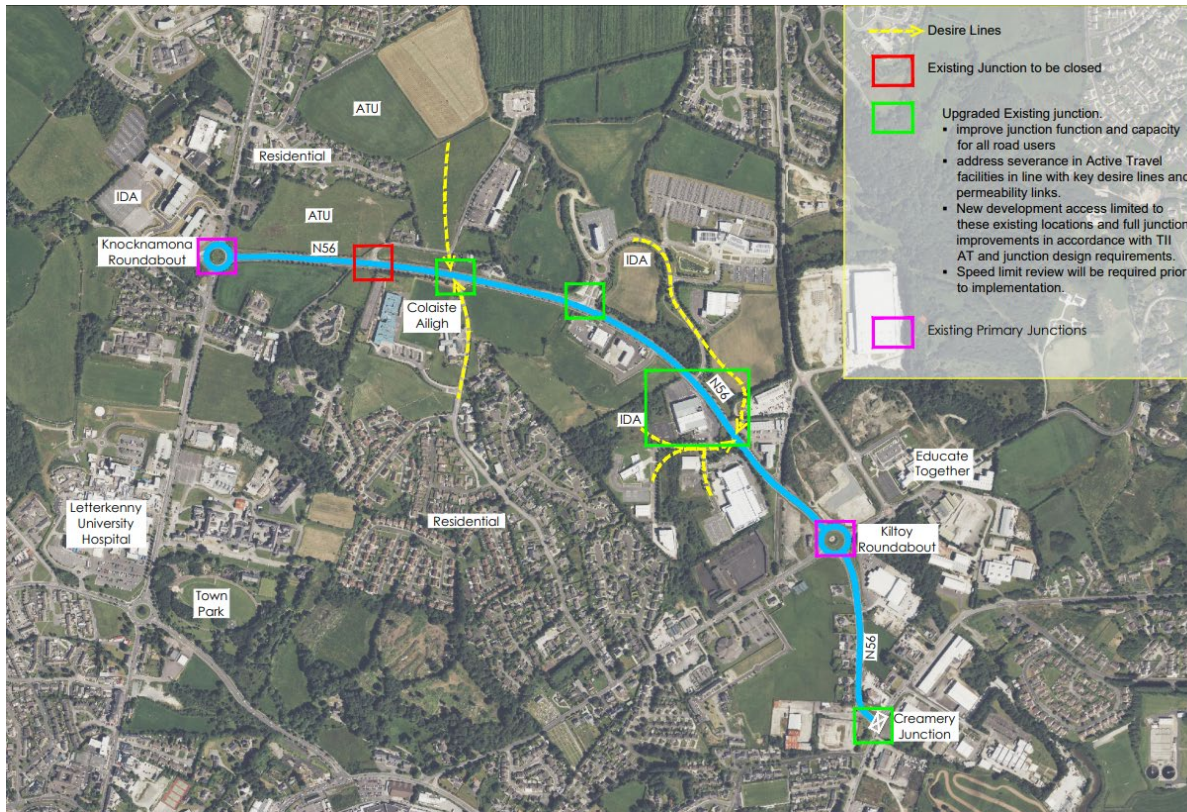
1) Amend **Policy LK-T-P-3** as follows: (new text in green; text to be deleted in ~~red-strikethrough~~)

It is a policy of the council that development proposals requiring access to the N56 Business Park Road shall only be permitted where such proposals are consistent with the Council's strategy to:

- a. Provide new/improved active travel facilities along and across the N56;
- b. ~~Provide two new primary signalised junctions and rationalise existing junctions~~ Upgrade and rationalise the junctions identified in Fig x below to enable permeability across the N56 for non-motorised users and to facilitate improved function and efficiency on the N56; and
- c. Implement a reduced speed limit to provide consistency along the N56 and to facilitate

junction arrangements.

[Fig. X]

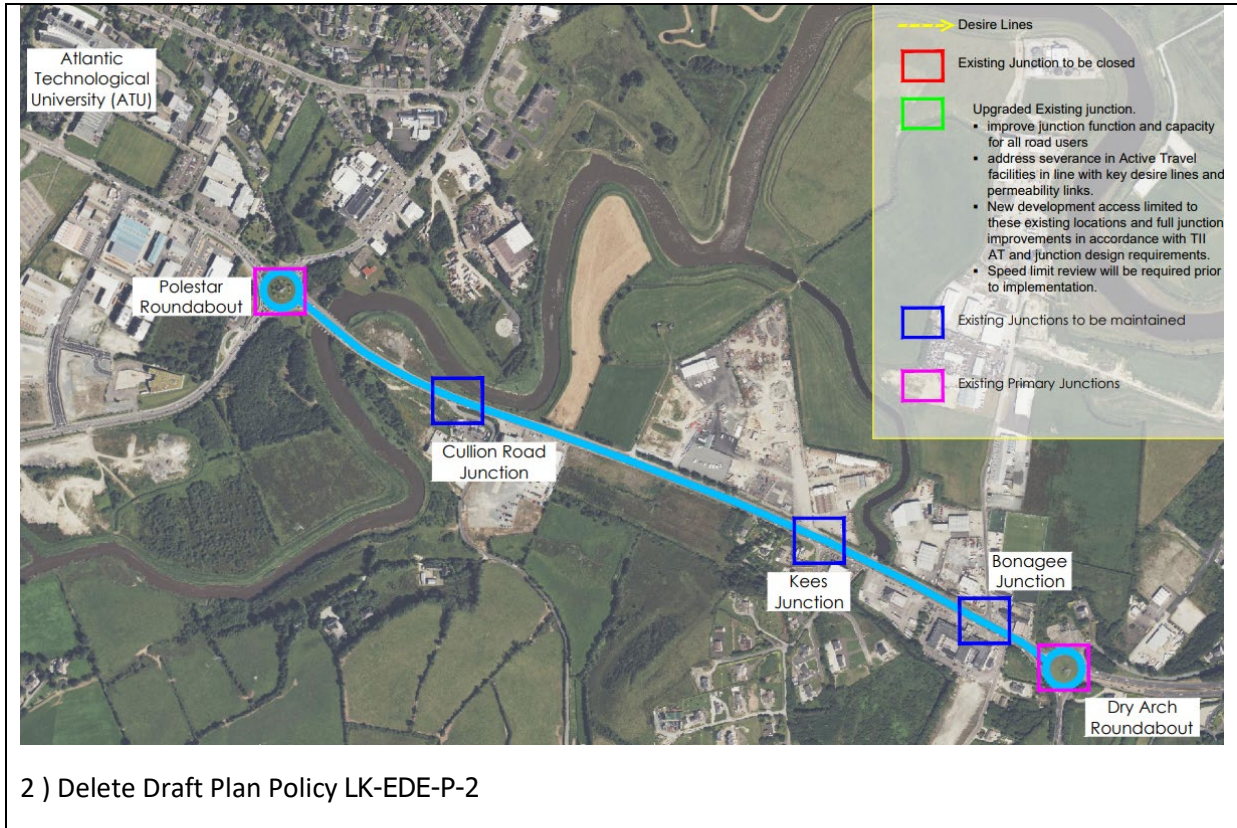


2) Delete Draft Plan Objective LK-ED-O-2

Four Lane Road

1) Amend **Policy LK-T-P-2** as follows: (new text in green; text to be deleted in red-strikethrough)

It is a policy of the council to permit the development of lands adjacent to ~~to the south of~~ the N56 Four Lane Road by means of access only via the existing local road junctions identified in Fig. y below or alternatively by a single improved junction to the N56, replacing the existing poorly aligned Cullion Road and junction. ~~Existing developed and developable lands to the north and adjacent to the N56 Four Lane Road and for which no other existing access is available, these may be accessed by a restricted number of new left in/left out accesses,~~ subject to the safety and carrying capacity of the National Road being maintained.



PROPOSED MATERIAL ALTERATION MA 60

Proposed Material Alteration: No: 60 (nb. To be read in conjunction with PMA's 54, 57, 60 (part thereof), 61 (part thereof) and 62 (part thereof)).

Chapter 21: 'Town Centre'. Section 21.4 'Town Centre Strategy Objectives and Policies'.

Amend Policy LTP-TC-P-1 (New text in blue):

Policy LTP-TC-P-1: It is a policy of the Council to support the principle of the following sustainable transport plans and interventions in the Town Centre as identified in the Letterkenny 2040 Regeneration Strategy and Local Transport Plan:

- a. the delivery of the 'Linkages and Public Space Action Plan' with particular regard to the Town Centre Linkages as set out in Section 21.2, numbers 1-22.
- b. the development of a centrally-located Transport Hub/interchange;
- c. development of the network of walking and cycling routes and public transport priority measures, inclusive of the preservation of corridors necessary for such purposes connecting to the network of town wide schemes;
- d. the re-allocation of road space and crossings for the development of priority pedestrian and cycling corridors;
- e. the re-allocation of road corridors and crossings for the development of bus priority measures.

(nb. New table was presented in Appendix F of the PMAs's document)

OPR Comments at Draft Plan Stage

General comments welcoming preparation of the LTP in conjunction with the LAP but also expressing strong concerns that the Plan was overly focussed on road building projects and thus was not consistent with more recent transport policy to reduce carbon emissions by facilitating and encouraging walking, cycling and other sustainable modes.

Chief Executive Comments/Recommendation at Draft Plan Stage.

On foot of the submissions from the NTA, TII and OPR, following the subsequent engagements with the NTA, and following the publication of the LK 2040 Regeneration Strategy the Town Centre Transport Strategy was reviewed with a review to strengthening the Plan in terms of its support for and town centre measures in general, and the Regeneration Strategy in particular. This review led to, inter alia, a recommendation to include this amended policy.

Members' Resolution at Draft Plan Stage

To accept PMA 60.

Submissions At Proposed Material Alterations Stage:

N/A (nb. the NWRA refers to Appendix F, the subject of this PMA, but only as an example of a broader point re the inclusion of clear timeframes for key enabling projects. This is addressed in Section 3.1: Miscellaneous Issues/NWRA.

Chief Executive's Response:

PMA 56 includes a new objective (LTP-AT-0-2): To support the progress and implementation of the 'Letterkenny 2040 Regeneration Strategy, Linkages and Public Space Action plan and Letterkenny Design Concepts and to support any future subsequent phases of the project as funded under the URDF. PMA 58 includes the detailed Section 21.2, numbers 1-22 items. The cumulative effect of PMA's 56, 58, 60 and 62 should be to ensure that this Plan contains comprehensive and effective

support for the delivery of meaningful interventions in the town centre.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 60, subject to the amendment recommended below.

On foot of the discussion in the Section of this Report dealing with PMA 48, it is recommended that Policy LTP-TC-P-1 is amended as below (Draft Plan text in black; PMA text in blue; recommended amendment in green)

Policy LTP-TC-P-1: It is a policy of the Council to support the principle of the following sustainable transport plans and interventions in the Town Centre as identified in the Letterkenny 2040 Regeneration Strategy and Local Transport Plan:

- a. the delivery of the 'Linkages and Public Space Action Plan' with particular regard to the Town Centre Linkages as set out in Section 21.2, numbers 1-22; future development proposals will be located/sited/designed in a manner which positively relates to and complements the LK Green Connect project and Donegal County Council shall engage with landowners and ensure that future development proposals will be located/sited/designed in a manner which positively relates to and complements LK Green Connect.
- b. the development of a centrally-located Transport Hub/interchange;
- c. development of the network of walking and cycling routes and public transport priority measures, inclusive of the preservation of corridors necessary for such purposes connecting to the network of town wide schemes;
- d. the re-allocation of road space and crossings for the development of priority pedestrian and cycling corridors;
- e. the re-allocation of road corridors and crossings for the development of bus priority measures.

PROPOSED MATERIAL ALTERATION MA 61

Proposed Material Alteration: No. 61 (nb. to be read in conjunction with PMA's 54, 57, 60 (part thereof), and 62 (part thereof)).

Chapter 20: 'Strategic Roads Strategy' renamed to 'Public Transport Strategy'. Section 20.4 (Previous Section 22.3.)

Amend policy LTP-PT-P-1: (new text in blue)

LTP-PT-P-1: It is a policy of the council to:

- a) Continue to collaborate with the NTA and all other stakeholders to develop the provision of new public transport services and the necessary physical interventions that enable the expansion of Letterkenny's public transport service, to provide an efficient, frequent, effective and legible public transport bus service to serve the needs of the town
 - b) Provide a service that will ~~to~~ connect origins and destinations throughout the town including residential, education, healthcare facilities, employment and the future multi-modal Transport Hub, ~~town-centre~~ by way of a local bus service.
 - c) ~~To~~ Support bus priority infrastructure particularly in the town centre, ~~such as quality bus corridors through the identification of a network of roads for the development of Bus Priority roads and lanes.~~
 - d) Identify suitable locations for the development of 'Park and Share/Ride Hubs' located within a network of strategic Satellite villages (identified but not limited to those on Map entitled 'Satellite Villages as Park & Ride Hubs') serviced by efficient and effective public transport routes and providers such as 'Connecting Ireland' and 'Local Link'.
 - e) Provide new supporting public transport infrastructure in Letterkenny Town centre to include but not limited to bus stops, shelter infrastructure including real time passenger information, electric modes charger infrastructure, bicycle parking, and provision of electric bike/scooter hire.
 - f) Support the delivery of the proposed public transport interventions measures listed in section 20.3.
- ~~d) To provide new bus shelter infrastructure to include real time passenger information.~~

OPR Comments at Draft Plan Stage

OPR (and the NTA) noted two broad concerns regarding the Public Transport Strategy generally. Firstly, that there was an insufficient 'level of detail to give an understanding of how public transport services will operate within and through the town at a local level'. Noted that there were no details as to what interventions, if any, may be required to facilitate public transport movement and priority within the town centre and to other key destinations. Secondly, the absence of commentary around the NTA's 'Connecting Ireland: Rural Mobility Plan' was referenced and a clear recommendation given that the role of that Plan should be acknowledged.

Chief Executive Comments/Recommendation at Draft Plan Stage.

Advised that during the process of preparing the Draft LTP there was significant engagement with the NTA on the issue of how the town's existing bus services could be improved, and that this resulted in the identification of two additional routes. Noted that these routes were shown in Map 22.1 in the Draft LTP but acknowledged that this diagrammatic-style map was not clear, and lacked detail as to what interventions, as referenced by the OPR and NTA, may be required.

Also advised that Planning and Roads Directorates had had further constructive engagements with NTA officials and that, arising from these discussions, several amendments were recommended. These included a recommendation to revise Policy LTP-PT-P-1 as per this PMA. Other recommended amendments to the Public Transport Strategy are addressed in PMA's 54, 57, 60 (part thereof), and

| |
|---|
| 62 (part thereof). |
| Members' Resolution at Draft Plan Stage To accept proposed MA. |
| Submissions At Proposed Material Alterations Stage: DNCC-C17-27: OPR Refers to the 'significant number of issues' raised by the Office in its submission concerning transport infrastructure and access issues, reflecting the concerns of the NTA and TII and current sustainable transport policy. Having done so, 'welcomes many of the extensive Material Alterations to the LTP in consultation with the NTA'. Specifically welcomes various individual elements of the PMA's including the additional objectives and policy in respect of 'a public bus network'. |
| Chief Executive's Response: As is evidenced by the comments of the OPR and NTA, the approach to public transport, particularly the bus networks and required supporting infrastructure, have been strengthened considerably with the content of proposed PMA's 54, 57, 60 (part thereof), the subject PMA 61 (part thereof) and 62 (part thereof). The broad support of the OPR is welcome. The support and assistance of the NTA during the period after submissions on the Draft Plan should also be acknowledged. |
| Recommendation: That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 61. |

PROPOSED MATERIAL ALTERATION MA 62

Proposed Material Alteration: No. 62 (nb. to be read in conjunction with PMA's 54, 57, 60 (part thereof), and 61 (part thereof)).

Chapter 21: 'Town Centre Transport Strategy' Section 21.4: 'Town Centre Strategy Objectives and Policies'.

Amend objectives LTP-TC-0-1, LTP-TC-0-2 and LTP-TC-0-3 as follows (New text in blue, deleted text in red-strikethrough)

LTP-TC-0-1: To deliver a multi-functional, centrally-located regional transport hub ~~for~~ **serving** Letterkenny, **County Donegal and the wider region.**

LTP-TC-0-2: To create a dynamic, ~~connected and~~ **connected** accessible town, anchored by a centrally-located local transport hub, **served by a centre and town-wide network of multi modal infrastructure providing for connectivity and** enabling transitional shift to public transport, walking and cycling.

LTP-TC-0-3: To support the principle, ~~of the following projects and the incorporation therein of strong Active Travel measures:~~ **development and implementation of the Letterkenny 2040 Regeneration strategy including all associated documents and plans including the recommendations listed in the Linkages and Public Space Action Plan.**

- ~~• Upper and Lower Main Street — Breathing new life into the Main Street through restoration, redevelopment and greater use and development of existing properties, in addition to the creation of new civic public space.~~
- ~~• The Port and Pearse Roads — Transformation of these two key strategic arterial routes into town centre 'Boulevards' with clear integration, permeability and way-finding.~~
- ~~• Town Square and Hub — Establishing a major new civic space as the go to focal point for the Town complementary to the existing Market Square with this new space potentially being located on Pearse road.~~
- ~~• The LK Green Connect Project identified on the Land Use Zoning Map as an 'Indicative Active Travel' route.~~
- ~~• The Swilly Way located alongside the River Swilly~~

OPR Comments at Draft Plan Stage

General comments welcoming preparation of the LTP in conjunction with the LAP but also expressing strong concerns that the Plan was overly focussed on road building projects and thus was not consistent with more recent transport policy to reduce carbon emissions by facilitating and encouraging walking, cycling and other sustainable modes.

Chief Executive Comments/Recommendation at Draft Plan Stage.

On foot of the submissions from the NTA, TII and OPR, following the subsequent engagements with the NTA, and following the publication of the LK 2040 Regeneration Strategy the Town Centre Transport Strategy was reviewed with a review to strengthening the Plan in terms of its support for and town centre measures in general, and the Regeneration Strategy in particular. This review led to, inter alia, a recommendation to amend the subject objectives.

Members' Resolution at Draft Plan Stage

To make the PMA.

Submissions At Proposed Material Alterations Stage:

DNCC-C17-19: Turley Consultants on behalf of Hurley Property ICAV.

(please refer to PMA 48)

Chief Executive's Response:

PMA 56 includes a new objective (LTP-AT-0-2): [To support the progress and implementation of the 'Letterkenny 2040 Regeneration Strategy, Linkages and Public Space Action plan and Letterkenny Design Concepts and to support any future subsequent phases of the project as funded under the URDF.](#) PMA 58 includes the detailed [Section 21.2, numbers 1-22 items](#), while PMA 60 strengthen policy support for delivery of the Regeneration Strategy's 'Linkages and Public Spaces Action Plan' with particular regard to the Town Centre linkages. The cumulative effect of PMA's 56, 58, 60 and 62 should be to ensure that this Plan contains comprehensive and effective support for the delivery of meaningful interventions in the town centre.

Recommendation:

That Members resolve to make the Letterkenny Plan and Local Transport Plan with PMA Ref. MA 62.

3.0 MISCELLANEOUS ISSUES

3.1 Northern and Western Regional Assembly

The Assembly refers to its submission at Draft Plan stage and comments on the extent to which the Authority has addressed these issues. In its 'Conclusion' section, the Assembly advises that: *'The Assembly are generally satisfied the Lettekenny Plan, subject to Material Alterations, now illustrates a greater consistency with the RSES that was the case previously.'* That said, it is acknowledged that the Assembly finally concludes with several points not addressed in the Proposed Material Alterations. These are considered below.

| ISSUE | RESPONSE |
|--|---|
| <p>'Strongly recommend' a Policy Monitoring mechanism forms part of the final Plan, as without same, it is questionable if elements of the Plan can be effected by 2029. It may prove the case in the short / medium term, and during the lifetime of this Plan, some elements of the land-use policies require modification, and a LAP monitor could potentially highlight unforeseen developments.</p> | <p>It is likely that the emerging Planning and Development Bill will include a legal requirement in respect of the monitoring of plans. A monitoring programme will be formulated as soon as is practicable after the enactment of this legislation to ensure that such a programme is aligned with the legal requirements.</p> |
| <p>The Assembly previously advocated a clear timeframe be illustrated for key enabling infrastructure projects; this is intrinsic to a multi annual strategy and land-use Plan, regrettably timelines remain largely absent, and note Appendix F (Town Centre Linkages) as a further example in this regard.</p> | <p>Such timelines are dictated by statutory processes, multiple agencies and other stakeholders. The Council remains fully committed to the further development of these projects within the lifetime of the Plan. For each of the key projects, resources are being allocated by the Council.</p> |
| <p>That the Plan at its outset incorporates a goal on employment ambitions, in line with the ambitions for residential growth, in order to ensure the future economic role of Letterkenny as a Regional Growth Centre is underscored. Reference to RSES population projections should be amended to targets</p> | <p>Noted. The employment targets for Letterkenny contained in the RSES will be incorporated into the Plan as a non-material amendment.</p> |
| <p>That MA 44 be reconsidered, as an educational campus at this location currently does not have adequate accessibility, and does not contribute to compact growth or consolidation, as it effectively would represent an extension beyond the built up footprint of the Town at Ballymacool / Kirkstown.</p> | <p>Addressed at Section 2, PMA 44 above.</p> |

3.2: SUBMISSIONS THAT DO NOT REFER TO ANY SPECIFIC PROPOSED MATERIAL ALTERATION

| ISSUE | RESPONSE |
|--|---|
| <p>Health & Safety Authority (HSA.) No comment.</p> | <p>Noted.</p> |
| <p>MH Associates on behalf of Christopher McG Ltd. Requests a change in zoning on lands at Killyclug.</p> | <p>Noted. Section 20(1)(j) provides for the making of submissions only in respect of proposed material alterations. All of these submissions refer to issues not addressed in any of the Proposed Material Alterations. Therefore, it is not possible to consider these submissions.</p> |
| <p>MH Associates on behalf of Mr Michael Donaghy. Requests a change in zoning on lands at Drumnahoagh (adjacent to Four Lane Road).</p> | |
| <p>Mr Bobby Macken. Requests a change in zoning on lands at Kiltyoy (immediately adjacent to, <u>but outside</u> of the site subject of PMA 29).</p> | |
| <p>Robinson Family. Refers to PMA1 but the substantive points subsequently made are specifically with regard to Opportunity Site 1 (Gortlee House). Suggests a reconsideration of the balance of residential development and the provision of other uses within the plan area and in this regard directly references 'Opportunity Site 1', suggesting that the viability of any future development on the lands would be limited by prescribing (as is currently the case in the Draft Letterkenny Plan) that a maximum of 50% of the site should be developed for residential use. The submission contends that the optimum development scheme on Opportunity Site 1 is more likely to be 75%+ of residential development.</p> | |