

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na gCruinnithe
Aras an Chontae
LEIFEAR
25 Aibreán , 2017

FOGRA CRUINNITHE

Beidh Cruinniú Speisialta den Comhairle Chontae Dhún na nGall ar siúl Dé Mairt 2 Bealtaine, 2017 ag **2.00 i.n. in Áras an Chontae, Leifear** le plé a dhéanamh ar na hábhair atá sa Chlár leis seo.

Mise, le meas

Seosamh O’Piobla
Riarthóir Cruinnithe

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
LIFFORD.
25th April, 2017

NOTICE OF MEETING

A Special Meeting of Donegal County Council will be held on Tuesday 2nd May, 2017 at 2pm in the County House, Lifford.

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

Yours sincerely

Joe Peoples
Meetings Administrator

AGENDA

Consideration of Working Draft County Donegal Development Plan 2018-2024 and associated addendum – to consider approval of publication of Draft County Donegal Development Plan 2018-2024 for period of Public Consultation.

Members are requested to bring their copy of the Working Draft County Development Plan 2018 – 2024 documents (including Environmental Reports) to the meeting together with the addendum outlined above which was circulated on the 19th April, 2017.

MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL,
HELD IN THE COUNTY HOUSE, LIFFORD ON 2ND MAY, 2017

C/134/17 MEMBERS PRESENT

Cllrs Terence Slowey, Cathaoirleach, L Blaney, E Bonner, C Brogan, J Campbell, P Canning, T Conaghan, G Crawford, N Crossan, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M T Gallagher, M Harley, N Jordan, N Kennedy, M.C. Mac Giolla Easbuig, F. McBrearty, M Mc Bride, J P Mc Daid, M McDermott, P McGowan, B McGuinness, G McMonagle, J Murray, S O'Domhnaill, J S O'Fearraigh, & B. O'Neill.

C/135/17 OFFICIALS IN ATTENDANCE

Seamus Neely, Chief Executive, Joe Peoples, Director of Housing, Corporate and Cultural Services / Meetings Administrator, Liam Ward, Director of Community, Enterprise and Planning Services, Michael Mc Garvey, Director of Water and Environment, Paul Christie, Senior Executive Planner, Sinead Harkin, Executive Planner, Graham Diamond, Executive Planner, John Mc Feely, Assistant Planner, Anne Marie Conlon, Communications Officer, Sean O'Daimhin, Oifigeach na Gaelige, Anne Marie Crawford, Staff Officer.

C/136/17 APOLOGIES

Apologies were received from Cllr J Kavanagh who was unable to attend the meeting.

C/137/17 VOTE OF SYMPATHY- CLLR SEAN MC ENIFF

The Cathaoirleach on behalf of the members extended deepest sympathy to the late Cllr Mc Eniff's wife Eilish, his sons John, Terry, Gabriel, Conor, and Fergal together with his daughter's Elizabeth and Siobhan.

Cllr Mc Eniff, he said, had given a lifetime of public service to Donegal and would be sorely missed by all who knew him. He thanked all members who had attended the wake and funeral.

Members paid tribute to the late Cllr Mc Eniff and expressed their deep regret and sadness at his passing.

Cllr Brogan on behalf of the Fianna Fail grouping said that his like would not be seen again and that he had served the people of Donegal with enormous pride and loyalty. He had been, he added,

first and foremost a Donegal man, whose contribution to public life in the county had earned him the respect of all.

Members noted that he had been an excellent public representative and that as a long serving councillor had dedicated his life to the betterment of Donegal and Bundoran in particular.

Cllr Bernard Mc Guinness as the longest serving member of the Council said that had had the greatest of respect for Cllr Mc Eniff and that he would be sorely missed.

The Chief Executive expressed sympathy on behalf of the Management and Staff of Donegal Council, noting that the late Cllr Mc Eniff had worked always in the best interests of the Council taking a strategic approach at all times in relation to macro issues.

On the proposal of Cllr Mc Bride, seconded by Cllr Blaney, sympathy was extended to the family of the late Edward Fries , Kilmacrennan.

C/138/17 ANNUAL GENERAL MEETING 2017

It was unanimously agreed to hold the 2017 Annual General meeting of Donegal County Council on Wednesday 14th June, 2017 at 3pm in the County House, Lifford.

C/139/17 VOTE OF SYMPATHY

Members proposed a vote of sympathy to the families of Nathan Dixon Gill and Nathan Farrell, Buncrana both of whom had died in tragic circumstances as the result of a car accident.

A minutes silence was observed by all present.

C/140/17 CONSIDERATION OF WORKING DRAFT COUNTY DONEGAL DEVELOPMENT PLAN 2018-2024 AND ASSOCIATED ADDENDUM – TO CONSIDER APPROVAL OF PUBLICATION OF DRAFT COUNTY DONEGAL DEVELOPMENT PLAN 2018-2024 FOR PERIOD OF PUBLIC CONSULTATION.

Members considered the Working Draft County Development Plan 2018- 2024 and Working Draft Environmental Report together with the addendum dated 19th April, 2017.

Mr Liam Ward, Director Community, Enterprise and Planning Services alluding to the above documents said that during the

workshop process a wide range of issues had been raised some of which it was considered merited amendment within the working draft plan. He said that the Addendum to the Working Draft Plan, Tables 1 and 2 now contained those amendments that, in the opinion of the Executive were warranted.

Members, he advised, were also being asked to consider the amendments to the contents of the Environmental Report (Strategic Environmental Assessment) as contained in Section 5 of the Addendum and the working draft version of the Natura Impact Report.

It was intended, he said, to go through the addendum initially and then to seek agreement in relation to member's views and a decision in relation to the Wind Energy Policy.

He thus called on members to formally consider the working draft County Development Plan 2018-2024 (including the addendum) with a view to deciding on the content of the draft plan to be made available over the period for public consultation, and scheduled to take place during the period 5th May, 2017 to 13th July 2017.

Mr Paul Christie, Senior Executive Planner and Ms Sinead Harkin Executive Planner outlined in detail the proposed amendments.

Mr Liam Ward, Director Community, Enterprise and Planning Services said that the consent of the members to publish the Draft County Development Plan 2018-2024 for a period of public consultation was now being sought. He drew attention to the list of minor edits to the working draft plan (pages 16 to 19 of the Addendum) and said that these amendments would not result in any material change to the policies and objectives contained in the plan and were not subject to a requirement for Appropriate Assessment / Strategic Environmental Assessment.

It was acknowledged that Table 3 as detailed on pages 19 to 24 set out the Appropriate Assessment of the proposed amendments as set out in Table 1 and confirmed that where a potential negative impact on a Natura Site was identified, it could be mitigated to an acceptable level through compliance with other objectives and policies of the plan.

Table 4 page 25, it was confirmed provided the SEA assessment in respect of the proposed amendments and set out the various policy areas affected.

It was proposed, he said, to deal separately with the Wind Energy Policy.

A lengthy debate ensued.

Members expressed concern that many of the issues raised at MD and workshop level had not been taken into consideration by the Executive. They asked that these concerns be taken on board and that a number of policies be looked at again. It was requested also that the rationale as to why a number of issues had not been included in the draft plan be provided.

There was general agreement that the plan needed to cater for people who lived in rural Donegal and wanted to build houses on their own lands as current policies were effectively decimating rural Ireland. Current policy guidelines in relation to the structuring of small rural schools and associated transportation guidelines were they noted contributing to this pattern of decline.

It was imperative; they said that members concerns were addressed if the plan was to proceed.

The following issues were raised:-

- Request that Policy T-P -22 be amended to include reference to Greencastle given its important strategic location.
- Heritage Towns were not sufficiently promoted or funded and that signage/tourist information boards needed to be installed at the various entrances.
- Query as to the inclusion of a Right of Way at Malin Head.
- Border corridor from Ballybofey to Lifford needs to be provided for under the Economic Development Strategy particularly in the context of Brexit.
- More detail requested regarding the potential of the River Swilly at Letterkenny and linkages to the south of the town.
- Lack of municipal playing fields a problem in Letterkenny.
- Traffic gridlock a problem in Letterkenny and queries raised as to the provision of lands for an additional road linking the Mountain Top to the Business Park Road.
- General linkages in Letterkenny also an issue with only one road on the north side catering for traffic from the west.

- Requirement for traffic counts on local roads making it impossible to attain planning permission.
- Query as to whether the plan protected certain areas of the coastline in relation to onshore development.
- Cognisance to be taken of offshore wind energy and other renewable energy sources.
- Concern expressed that there was no reference to urban regeneration.
- Timeframe requested as to when the Local Area Plans would be completed.
- Inishowen Regional Water Supply – more information requested and stronger case needs to be made to address ongoing issues in relation to bursts and outages in the south Inishowen area in particular.
- Issues raised regarding previously agreed control points and settlement framework boundaries which were identified as requiring revision and expansion in a number of towns.
- Holiday Home Policy needs to be revisited and a balanced approach taken.
- Outlined the need for compromise particularly in instances where members of the local community wish to build on their own lands in areas of high scenic amenity.
- Cognisance taken in relation to the implications of the Flemish case with regard to Rural Housing Policy.
- Query as to the inclusion of the “Intensification Policy” pertaining to National Secondary Routes.
- Noted that the plan did not offer much for rural or west Donegal and that it would channel development into Tier 1 and Tier 2 Towns at the expense of rural areas.
- Concerns raised regarding the EHSA Policy particularly along the western coast and seaboard. Suggested that consideration be given to amending RH-P-2 Pt 5 so it reads as a positive rather than a negative in relation to Indigenous People.
- Contended that the Draft Plan was not favourable to individual businesses and those who wanted to locate and develop enterprises in rural areas.
- Query as to whether zoning changes within the various town boundaries are to be dealt with in the Draft Plan as opposed to the individual Town Plans.
- Marine Tourism needs to be developed and promoted.

- Request that a ceiling/cap be placed on the percentage of our Bays and SACs that can be developed for marine aquaculture.
- Need for a rural transport system highlighted particularly in relation to tourism and economic development.
- Social Housing needs to be encouraged in rural areas.
- Language Impact Assessment deemed to be essential for Gaeltacht areas.
- Need for greater flexibility in terms of the interpretation of areas of High Scenic Amenity.
- Record of Protected Structures needs updating.
- Noted need for the Council to provide an interdenominational graveyard in each Municipal District.
- Additional facilities needed for Caravans and Camper Vans in the county.
- Insufficient infrastructure to allow Tier 3 Towns develop.
- Noted that there was a lack of evidence regarding the inclusion of a strategic partnership for south Donegal together with the need for more formal co-operation with Fermanagh and Omagh District Council. Highlighted also the need to engage with community groups and business organisations in the south of the county.
- Suggested that a South Donegal corridor be promoted incorporating links with Sligo, Leitrim and Cavan.

Cllr Mc Gowan proposed, seconded by Cllr Crawford that a specific policy be inserted into the Economic Development Strategy to cater for the area along the border from Ballybofey to Lifford and in light of the anticipated fallout from Brexit.

Cllr Mc Brearty said that he could not support the plan unless indigenous planning was removed and a policy put in place to accommodate local people who wanted to live in rural areas.

Cllr Gallagher proposed, seconded by Cllr O' Domhnaill that policy T-P-22 be amended to include reference to Magheroarty.

Mr Seamus Neely, Chief Executive, said that the discussion had served to highlight a number of complex issues in relation to planning and development for one of the largest local authority land masses in the country. It was important, he said, that a number of factors be taken into consideration, namely the territorial identity of the county, the fact that it contained a large number of

small towns and villages combined with a large population many of whom wanted to live in the countryside.

He reminded members however that the Council as the planning authority were obliged to work in tandem with the relevant planning legislation and associated national guidelines. It was important, he stated, that a balanced view was taken and a road-map was set out so as to deliver the best possible outcome for Donegal.

Cllr O' Neill took the chair for a short period at this juncture.

Members were informed that the council was now at a stage where it needed to move into the public consultation process but that there would be an opportunity to adjust and incorporate changes into the plan after the public consultation process had been completed. The Development Plan, he added, was effectively about providing legislatively for the development of the county.

Mr Neely addressed members and responded to a number of issues that had arisen during the discussion stressing the importance of making the county as a whole sustainable whilst improving access and infrastructural facilities.

It would not be possible, he said, to strengthen and grow small towns and villages where we also had a strategy of unrestricted access to rural housing; notwithstanding, the rural housing policy catered for those with a genuine rural housing need whilst the objectives in relation to the towns and villages was for the purposes of providing an alternative for those people who wanted to live in towns and villages.

Cllr Slowey returned to the chair.

C/141/17 SUSPENSION OF STANDING ORDERS TO EXTEND THE MEETING

On the proposal of Cllr Mc Dermott, seconded by Cllr Crawford it was resolved in accordance with Standing Order No 28 to suspend Standing Order No 3 to extend the meeting beyond 6pm so as to complete the remaining business on the agenda.

C/142/17 ADJOURNMENT

It was unanimously agreed to adjourn the meeting for a short recess.

C/143/17

CONSIDERATION OF WORKING DRAFT COUNTY DONEGAL DEVELOPMENT PLAN 2018-2024 AND ASSOCIATED ADDENDUM – TO CONSIDER APPROVAL OF PUBLICATION OF DRAFT COUNTY DONEGAL DEVELOPMENT PLAN 2018-2024 FOR PERIOD OF PUBLIC CONSULTATION.

Mr Liam Ward, Director Community, Enterprise & Planning Services alluding to the fact that a large number of issues and been raised in the course of the discussion said that it would be possible to provide the relevant responses as the Draft Plan moved through further stages of consideration. A number of issues, he added, needed more consideration and these, he said, could be considered in the context of the Local Area Plan process.

He called on members to approve the publication of the Draft Plan as per the working Draft and Addendum taking into consideration the following issues:-

- The need to include a policy supporting economic development potential in the border region.
- Strengthening of T-P- 22 in respect of Greencastle and Magheroarty.
- Consideration of Rural Housing Policies within Especially High Scenic Amenity areas.
- Policy EX-P-2 to be amended so as not to permit new extractive industries in High Scenic Amenity areas.

He confirmed that decisions taken in relation to the Settlement Framework boundaries through the LAP process could be appropriately reflected and accommodated within the later stages of the making of the County Development Plan.

Cllr Campbell addressed the meeting and asked members to consider the Wind Energy Policy in conjunction with a number of amendments as set out in his document entitled “Option 3: Incorporating Variation No 2 of the County Development Plan circulated on the 29th April, 2017, by e-mail and submitted during the meeting.

He thus proposed, seconded by Cllr O’ Domhnaill that the following amendments be incorporated in the Working Draft County Development Plan 2018 -2024 and Environmental Report when published:-

- That section 8.2 (Energy) and its sub- sections 8.2.2 (Objectives) and 8.2.3 (Policies) as well as Appendix 2 (Development Guidelines and Technical Standards) be amended as set out in the document circulated by Cllr Campbell to Elected Members on 29th April 2017 by email and submitted to the meeting, entitled ‘Option 3: Incorporating Variation No.2 of County Development Plan, 2012-2018 (As Varied)’.
- That map 8.2.1 be amended so as to include the areas of the Fresh Water Pearl Mussel Catchments for Clady, Eske, Glaskeelin, Leannan, Owencarrow and Owenea Rivers within the areas identified as ‘Not Acceptable’.

Cllr Gary Doherty proposed, seconded by Cllr Mc Gowan that the following amendments be incorporated in the Working Draft County Development Plan 2018 -2024 and Environmental Report when published:-

- That the revised map at 8.2.1 be amended in order to extend the ‘Not Acceptable’ designation from a point approximately at Lough Mourne eastwards so as to include the area generally comprised of those lands lying between the N15/ N13 corridor and the border.

On the proposal of Cllr O’ Domhnaill, seconded by Cllr Crossan it was resolved to publish the Working Draft County Development Plan 2018-2024 and Environmental Report inclusive of amendments set out in the addendum circulated on the 19th April 2017 together with the following additional amendments and inclusive of the amendments outlined above in accordance with Section 12(1) and (2) of the Planning and Development Act 2000-2016;-

- That a policy be inserted into the economic Development chapter to support economic development potential in the border region.
- That policy T-P-22 be strengthened in relation to the strategic importance of Greencastle port and be expanded to reference Magheroarty in the context of the ferry service.

- That the relevant policies be amended so as to provide for consideration of rural housing proposals within Especially High Scenic Amenity areas.
- That, in addition to Especially High Scenic Amenity Areas, policy EX-P-2 be amended so as to not permit new extractive industry proposals in High Scenic Amenity areas.

Cllr O' Domhnaill said that whilst he was fully appreciative of the volume of work included in the plan, he wanted to put all concerned on notice that if the issues raised by members were not dealt with in a rational way to the satisfaction of the Members then it would be extremely difficult to get the plan adopted.

Cllr Mc Brearty said he was firmly of the opinion that it should not go out to public consultation in its present format and that there were still a number of serious questions to be answered.

Concluding the meeting the Cathaoirleach said that the public consultation period would run from the 19th May to the 31st July and encouraged all concerned to participate in the process.

This concluded the business of the meeting.