MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 19th JUNE 2023 IN THE COUNTY HOUSE, LIFFORD

C/199/23 MEMBERS PRESENT

Cllrs L. Blaney, Cathaoirleach, K. Bradley, P. Canning, D. Coyle, G. Crawford, A. Doherty, N. Jordan, D. M Kelly, M. Mc Dermott, P. Mc Garvey, P. McGowan, and G. Mc Monagle. *Online*: Cllrs C. Brogan, T. Conaghan, N. Crossan, T. Crossan, G. Doherty, L. Doherty, R. Donaghey, M. Farren, M. T. Gallagher, M. Harley, J. Kavanagh, N. Kennedy, M.C Mac Giolla Easbuig, M. Mc Clafferty, N Mc Garvey, J Mc Guinness, A. Molloy, J. Murray, M. Naughton, and J.S. O' Fearraigh

C/200/23 OFFICIALS IN ATTENDANCE

John Mc Laughlin, Chief Executive, Patsy Lafferty, Director of Housing, Corporate and Cultural Services, Meetings Administrator, Liam Ward, Director Community Development & Planning Services, Bryan Cannon, A/Director of Roads & Transportation, Michael Mc Garvey, Director of Water & Environment, Eunan Quinn, Senior Planner, Graham Diamond, Executive Planner, Roisin Kelly, Executive Planner, John Mc Feeley, Executive Planner, Seán O' Daimhin, Rannóg na Gaeilge, Róise Ní Laifeartaigh, Rannóg na Gaeilge, Anne Marie Crawford, Staff Officer.

C/201/23 COUNTY DONEGAL DEVELOPMENT PLAN, 2024-2030: CONSIDERATION OF DRAFT PLAN AND ENVIRONMENTAL REPORT. WHETHER TO PROCEED TO PUBLISH THE DRAFT COUNTY DEVELOPMENT PLAN 2024-2030 OR TO MAKE AMENDMENTS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11(5)(C) OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED).

> Addendum A – Settlement Frameworks for the Letterkenny/Milford MD Members considered Addendum A – Settlement Frameworks for the Letterkenny/Milford MD together with the preliminary executive response from the executive in relation to issues raised by members at the workshop on the 14th June 2023. **Vide Appendix 1**

> Addendum B - Schedule of Amendments to Draft Donegal County Development Plan: Rural Housing Chapter 6 and Associated Mapping Mr Liam Ward, Director of Community Development & Planning Services said that this was in effect to tidy up the Rural Housing Policy reflected in the Development Plan and would come back to members at the July Meeting.

> On the proposal of Cllr Canning, seconded by Cllr A. Doherty it was resolved to approve the schedule of proposed amendments to the Draft Donegal County Development Plan; Rural Housing Chapter 6 and associated mapping. **Vide Appendix 2**

Addendum C -Additional Material Alterations to Part A of the Draft Letterkenny Plan and Local Transport Plan 2023- 2029 arising from the review of the Strategic Flood Risk Assessment On the proposal of Cllr Mc Monagle, seconded by Cllr Brogan it was resolved to:

- Approve the additional material alterations to Part A of Draft Letterkenny Plan and Local Transport Plan 2023-2029, that had arisen following a review of the Strategic Flood Risk Assessment. (the need for said review was agreed by Members at the meeting of 10th May 2023 pursuant to recommendation 2, Section 6.4 of the CE report).
- 2. Approve the additional material alterations to Part B of the Draft Letterkenny Plan and Local Transport Plan 2023-2029, that had arisen following a review of the Local Transport Plan (the need for said review was triggered by recommendations contained in Section 6.6 of the CE report, which were agreed by Members at the meeting of 10th May 2023).
- 3. Authorise the executive to make non-material amendments to the narrative arising from any additional material alterations approved by the Members, and further nonmaterial amendments to the Draft Plan to enable further refinement of the document as deemed appropriate.
- 4. That any further material alterations be subject to further Strategic Environmental Assessment, Appropriate Assessment, Strategic Flood Risk Assessment and Strategic Water Status Impact Assessment, including SEA and AA Screening respectively, the making of SEA and AA determinations respectively and the preparation of revised reports in respects of the above processes.
- 5. That the Executive will revert to the Members with the determinations referred to at Pt. 5 above, and as necessary the required revised reports at the next available opportunity, which is likely to be the July Plenary meeting.

C/202/23 SEVEN STRATEGIC TOWNS LOCAL AREA PLAN 2018-2024

Members considered the report circulated with the agenda in relation to the above.

Members proceeded to raise a number of issues including:

- The need to review the towns in question before the end of the calendar year.
- The impact of the Residential Zoned Land Tax on active farmland had to be considered as the levy was a significant taxation on active farm families. Onus on this Council to show that they did

not sit back and make the situation worse. Rezoning of lands, a priority to mitigate the effects of the RZLT.

 Query raised as to whether there was an option to revoke the plan and take Carndonagh out altogether.

Mr Liam Ward, Director of Community Development & Planning Services said that in the context of the County Development plan review process, zoning in towns such as Bundoran, Buncrana and Ballybofey/Stranorlar would be taken on board. The issues arose, he advised, in respect of the Seven Strategic Towns where the RZLT issue was tied into the review process. The RZLT process, he noted, had been introduced by the budgetary process at national level, and the Department had advised that there would be no change to the timelines, with the tax due on the 1st January 2024.

Continuing he outlined the significant workload currently being undertaken by the Planning Section, and the fact that Planning Authorities nationally were under resourced. Donegal, it was noted, was part of that process. Thus, he said it was not currently possible to commence the review of the Seven Strategic Towns at this point in time and the most practical option was to extend the duration of the current plans.

The Local Area Plan would, he advised, fall if the extension was not approved and then the prevailing guidance would have to come from the County Development Plan. There were specific implications, here, he said, as Local Area Plans were relied upon when putting forward Regeneration Funding applications.

He committed to commencing the review when the Draft Letterkenny Plan and Local Transport Plan 2023-2029 and the Draft County Development Plan 2024-2030 were completed by the second quarter of 2024.

Mr Eunan Quinn, Senior Planner said the prevailing legislation as referenced in Section 19(1)(d) made provision to extend the lifetime of the plan. Responding to a query from Cllr Canning regarding the possibility of using the Settlement Framework process in the Development Plan review to address zoning issues, he said this was not about one part of the zoning element and needed to reflect the land use zoning for the entire community.

On the proposal of Cllr Mc Dermott, seconded by Cllr Canning it was resolved to defer the matter to the July 2023 Council Meeting.

Mr Liam Ward, Director of Community Development & Planning Services drew attention to the fact that the decisions taken today and at the meeting on the 29th May in relation to the Draft County Donegal Development Plan, 2024-2030 would result in amendments being made to the environmental reporting and these would come back to members at the July meeting of Council for endorsement and then to proceed to public consultation.

This concluded the business of the meeting.

ADDENDUM A:

Appendix 1

SUBMITTED DRAFT COUNTY DEVELOPMENT PLAN:

ISSUES RAISED BY MEMBERS AT LETTERKENNY /MILFORD MD WORKSHOP 14TH JUNE 2023 &

PRELIMINARY EXECUTIVE RESPONSE.

	SETTLEMENT FRAMEWORKS FOR LETTERKENNY/MILFORD MD
POLICY AREA/ ISSUE.	PRELIMINARY EXECUTIVE RESPONSE
Kilmacrenan	
Extension of settlement boundary to northeast. See Appendix 1.	The proposed extension comprises approximately 0.87 hectares, approximately half of which is within the CSO boundary for Kilmacrennan. (See Appendix 1 below). The lands are not affected by any particular designations and are not within any identified flood zone. There is no planning history on the land, nor any recorded monuments or protected structures. The lands are accessible via Regional road R249. The proposed extension consists of greenfield lands that in effect 'leapfrog' other undeveloped greenfield lands in the village of Kilmacrennan. Having regard to (i.) the need to secure compact growth and the sequential development of our towns and villages and (ii.) the extent of undeveloped greenfield land already within the settlement boundary, which will be more than adequate to meet housing supply needs of Kilmacrennan over the lifetime of the CDP 2024-2030. The Executive recommends that the proposed settlement boundary is not extended at this location. On the proposal of ClIr Brogan, seconded by ClIr Kavanagh it was resolved not to accept the recommendation of the executive and instead to extend the settlement boundary comprising 0.87 hectares to the northeast of Kilmacrennan as outlined on the attached map.

		SETTLEMENT FRAMEWORKS FOR LETTERKENNY/MILFORD MD
Milford		
e	Reduce the extent of the	The subject lands are contained within the settlement boundary of Milford and are currently zoned as part of a wider (circa 7 hectare) 'Amenity Area' surrounding Lough Napuckan.(see Appendix 2 below).
tc	menity area o the east of ne Lough	The proposed reduction of 'Amenity Area' comprises approximately 0.7 hectares. Member's proposal is agreed on the basis that it would not significantly affect the amenities of the wider area. (See appendix 2 below)
R	Road.	On the proposal of CIIr Coyle, seconded by CIIr P Mc Garvey it was resolved to accept the recommendation of the executive and to reduce the extent of the amenity area comprising 0.7 hectares surrounding Lough Napuckan to the east of the Lough Road as outlined above and on the attached map.
se be	ettlemsion of ettlement oundary to orthwest	The proposed extension comprises approximately 5 hectares, approximately 1.8 hectares of which is within the CSO boundary for the town. There is no planning history on the lands. There are two recorded monuments/sites on the lands – a children's burial ground on the northern area and a standing stone to the south. No other 'designations' affect the lands (e.g. SAC/SPA/NHA). Sewer and water networks are available in the area.
		Having regard to (i.) the presence of two recorded monuments/sites on the subject lands, (ii.) the need to secure compact growth and the sequential development of our towns and villages, (iii.) the Core Strategy of the Draft CDP, which identifies a need for approximately 3.5Ha of land for new residential development in Milford over the lifetime of the CDP and (iv.) the extent of undeveloped greenfield land already within the settlement boundary, the Executive recommends that the proposed settlement boundary is not extended at this location.
		On the proposal of Cllr Coyle, seconded by Cllr P Mc Garvey it was resolved not to accept the recommendation of the executive and instead to extend the settlement boundary comprising approximately 5 hectares to the northwest of Milford as outlined on the attached map.
se be	ettlement oundary to	The proposed extension comprises approximately 2.6 hectares, all of which is outside the CSO boundary for the town. There is no planning history on the subject site and no 'designations' affect the lands. Water and sewer networks are available in the general area.
S	outhwest	The proposed extension consists of greenfield lands on the periphery of the settlement. Having regard to (i.) the need to secure compact growth and the sequential development of our towns and villages, (ii.) the Core Strategy of the Draft CDP, which identifies a need for approximately 3.5Ha of land for new residential development in Milford over the lifetime of the CDP and (iii.)

	SETTLEMENT FRAMEWORKS FOR LETTERKENNY/MILFORD MD
	the extent of undeveloped greenfield land already within the settlement boundary, the Executive recommends that the proposed settlement boundary is not extended at this location.
	On the proposal of Cllr Coyle, seconded by Cllr P Mc Garvey it was resolved not to accept the recommendation of the executive and instead to extend the settlement boundary comprising approximately 2.6 hectares to the southwest of Milford as outlined on the attached map.
4. Extension of settlement boundary to	The proposed extension comprises approximately 1.8 hectares, all of which is outside the CSO boundary for the town. Planning permission was granted for 36 dwellings on the lands in 2007. There are no 'designations' (e.g. SAC/SPA/NHA) affecting the lands. Water and sewer networks are available in the general area.
southeast	The proposed extension consists of greenfield lands on the periphery of the settlement. Having regard to (i.) the need to secure compact growth and the sequential development of our towns and villages, (ii.) the Core Strategy of the Draft CDP, which identifies a need for approximately 3.5Ha of land for new residential development in Milford over the lifetime of the CDP and (iii.) the extent of undeveloped greenfield land already within the settlement boundary, the Executive recommends that the proposed settlement boundary is not extended at this location.
	On the proposal of CIIr Coyle, seconded by CIIr P Mc Garvey it was resolved not to accept the recommendation of the executive and instead to extend the settlement boundary comprising approximately 1.8 hectares to the southeast of Milford as outlined on the attached map.
Portsalon	
Proposal made at Workshop on 14 th June:	Proposal made by Members to extend the SF boundary comprising approx. 3 hectares of largely green field land immediately north of the existing boundary located to the Western edge of the village. One private detached dwelling is situated within these
Extension to the existing settlement framework boundary	lands. (See Appendix 3 below). No planning history on the site, Water is available, and wastewater is unavailable. No further noteworthy information pertaining to the site.
to the west of the village.	Executive Recommendation: The proposed extension to the SF boundary is considered excessive and would give rise to pressure for multiple residential

SETTLEMENT FRAMEWORKS FOR LETTERKENNY/MILFORD MD

development on a (wastewater) un-serviced site.

Regard has been had to the limited opportunity that currently exists to facilitate one off individual housing to serve local housing need. On this basis the Executive recommend to reduce the proposal from 3ha to 1.5ha and roughly in line with the map below.

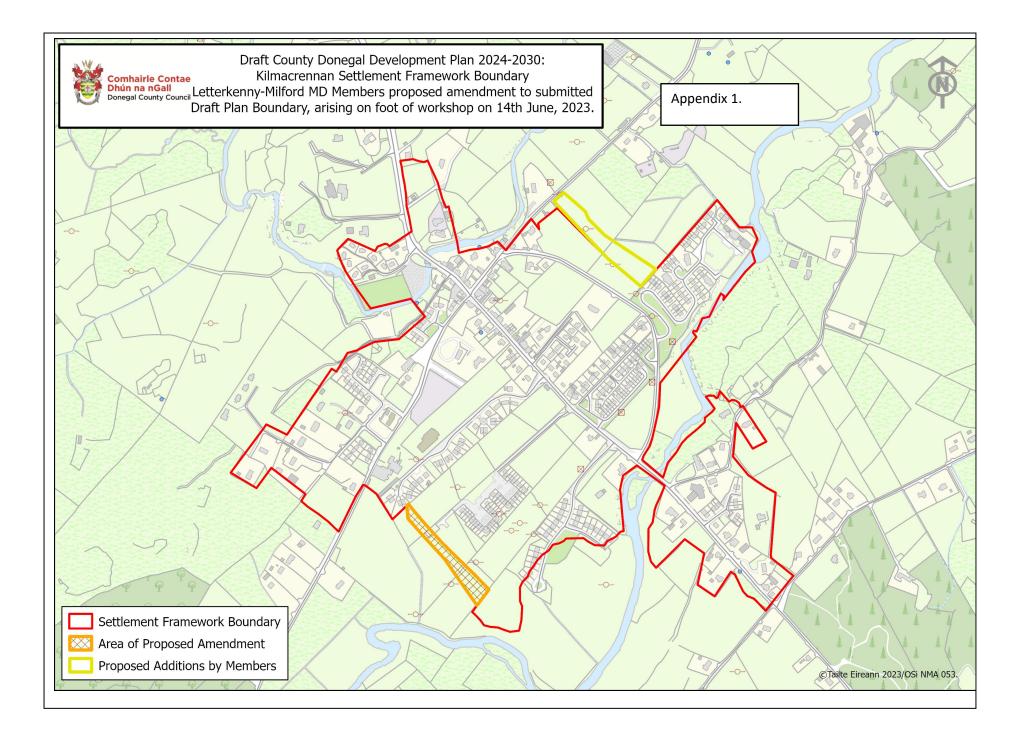
On the proposal of ClIr Brogan, seconded by ClIr Kavanagh it was resolved not to accept the recommendation of the executive and instead to extend the existing settlement framework boundary comprising 3 hectares of largely green field land immediately north of the existing boundary located to the western edge of the village of Portsalon, as outlined on the attached map.

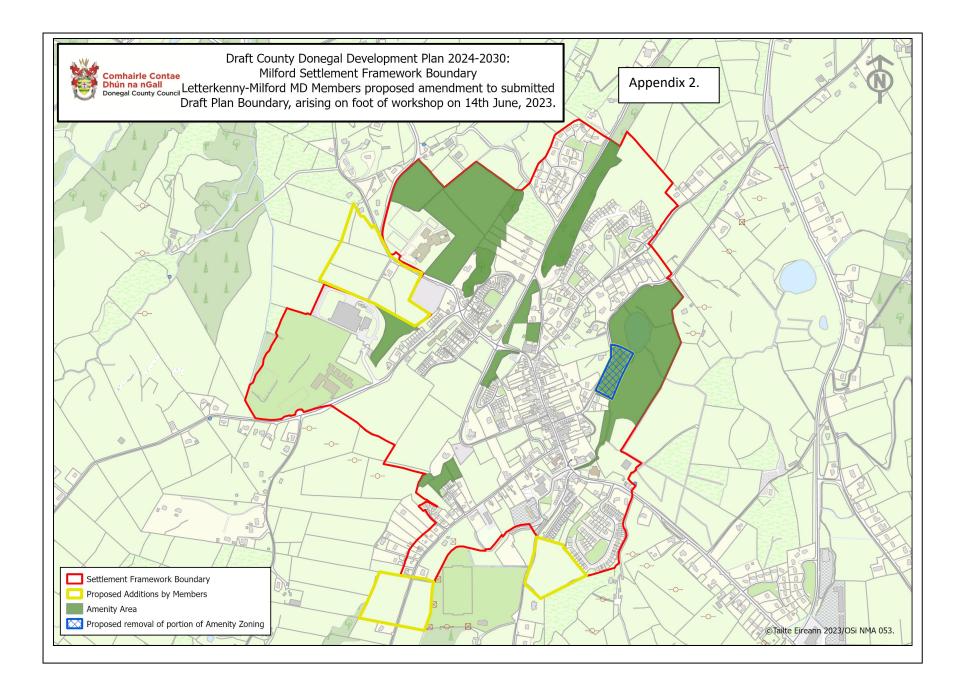


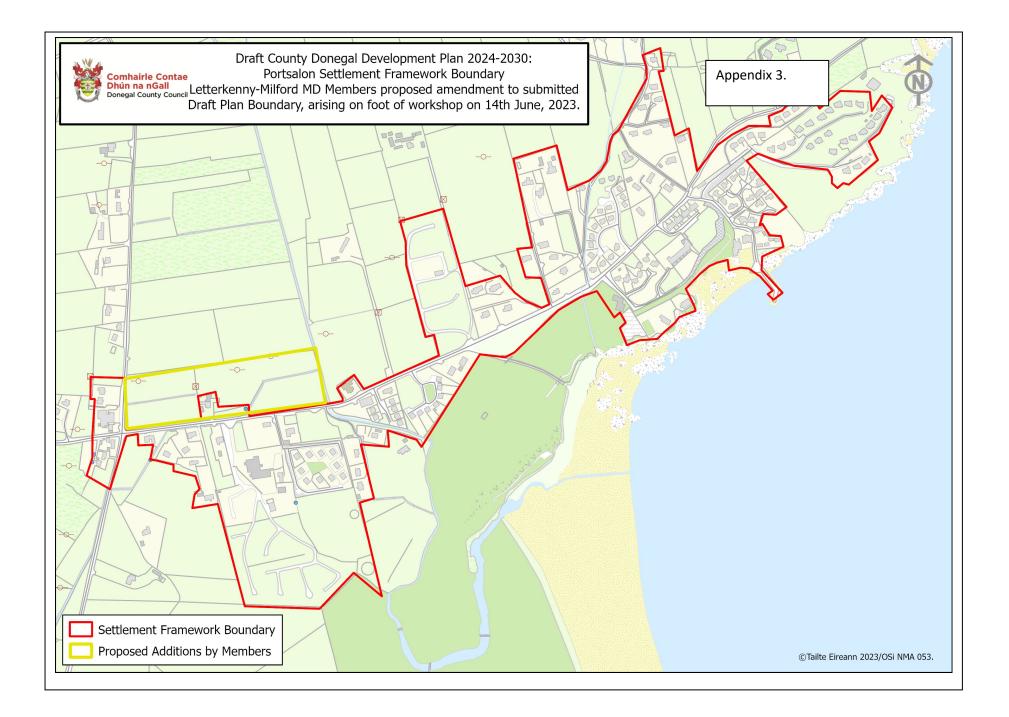
	SETTLEMENT FRAMEWORKS FOR LETTERKENNY/MILFORD MD
Kerrykeel	
Members Proposal made at Workshop on 14 th June:	Proposal made by Members to extend the SF boundary of the village comprising approx. of greenfield lands located to the south of the village. (See Appendix 4 below)
Extension to the SF	No planning history on site. Water and wastewater are available. No nature, archaeology or flooding concerns on the site No further noteworthy information pertaining to the site.
boundary at one location to the N south of the village.	The site is located on the southern edge of the town and comprises of 1.53ha of greenfield site. Fronting onto the R246 with footpath into the town.
	No planning history, flooding history, archaeology or RPS and nothing further noteworthy on site.
	Executive Recommendation: The site is located on the southern edge of the town and whilst both water and wastewater are available these additional lands are not considered to be required to serve local housing need within the Sf over the lifetime of the Plan. Sufficient serviced lands already exist within the town core.
	The Executive recommends that the proposed settlement boundary is not extended at this location.
	On the proposal of Cllr Brogan, seconded by Cllr Kavanagh it was resolved not to accept the recommendation of the executive and instead to extend the settlement framework boundary on the site located on the southern edge of the town comprising 1.53ha of greenfield site and fronting onto the R246 with footpath into the town as outlined on the attached map.
Rathmullan	
Members Proposal made at Workshop on 14 th June:	Proposal made by Members to extend the SF boundary of the village comprising approx.3.2ha of greenfield lands located to the North-Western edge of the village. (See Appendix 5 below)
Extension to the SF boundary at one location to the NW of	No planning history on site. Water is available and presently no capacity in the public sewer. Proposed upgrade to the sewer network is proposed but will be few years before in place. No further noteworthy information pertaining to the site.

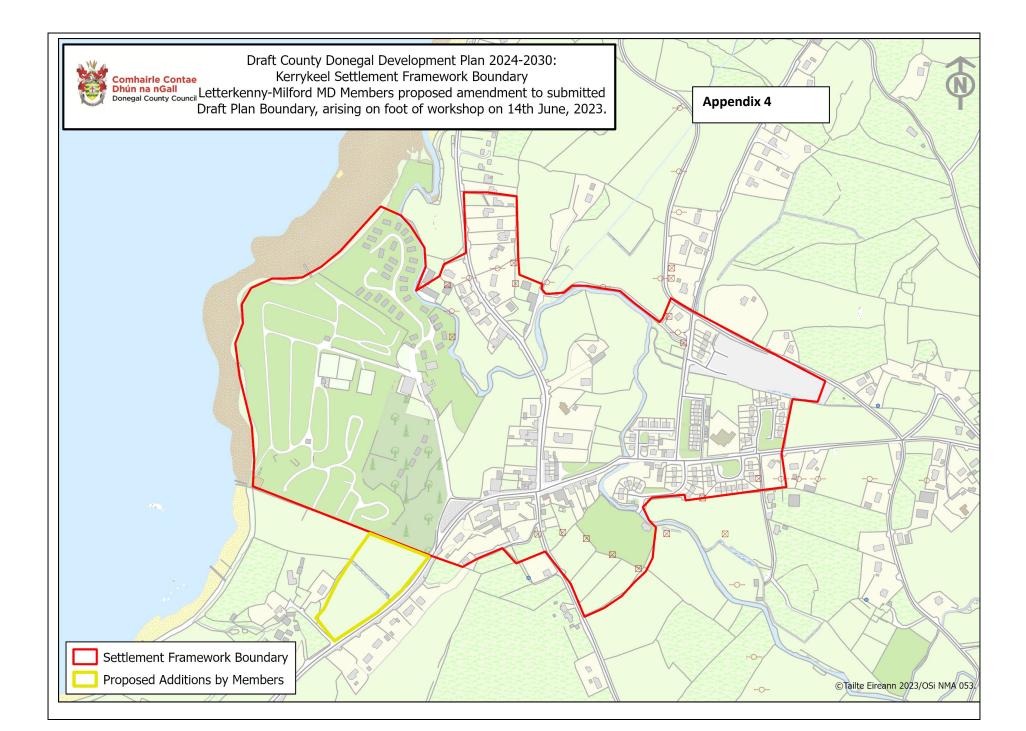
	SETTLEMENT FRAMEWORKS FOR LETTERKENNY/MILFORD MD
the village.	 Executive Recommendation: Sequentially the site is located at a remove from the village core and the local services with no footpaths serving the site. Development of this site would 'leapfrog' other undeveloped lands closer to the town core and thereby not achieving compact growth and essential use of existing services. Existing undeveloped lands are sufficient to serve local individual housing need. The Executive recommends that the proposed settlement boundary is not extended at this location. On the proposal of CIIr Brogan, seconded by CIIr Kavanagh it was resolved not to accept the recommendation of the executive and instead to extend the settlement framework boundary of the village comprising approximately 3.2ha of greenfield lands located to the North-Western edge of the village as outlined on the attached map.
Ramelton:	
Members Proposal made at Workshop on 14 th June: Extension to the SF boundary at 1 location to the N of the village.	Proposal made by Members to extend the SF boundary of the village to the north along the Milford Road, comprising approx. 1.53ha of greenfield land. (See Appendix 6 below.) No planning history on site or nature or archaeology designations on the site. Water is available and no sewer capacity available. Nothing further noteworthy pertaining to the site.
	Executive Recommendation: The site is located on the Northern fringes of the town. Whilst water is available and future upgrades to the public sewer network are planned, the site is at a remove from the town core and the national school. The footpath network is in place from the edge of this site to the south but then becomes narrow and insufficient to the south.
	The Executive considers that there is sufficient land within the framework available for development over the lifetime of the plan and at a more compact and accessible location. The Executive recommends that the proposed settlement boundary is not extended at this location.
	On the proposal of Cllr Brogan, seconded by Cllr Kavanagh it was resolved not to accept the recommendation of the

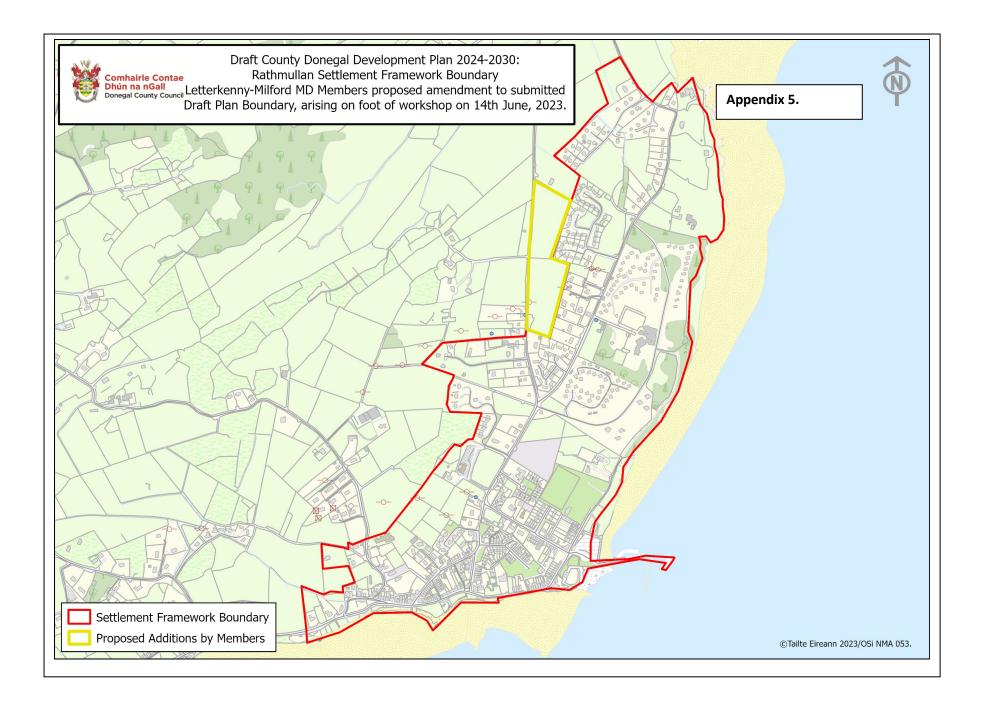
	executive and instead to extend the settlement framework boundary comprising approximately 1.53ha of greenfield land to the north of the town along the Milford Road as outlined on the attached map.
Fermon	
Members Proposal nade at Workshop	Proposal made by Members to identify Termon as a Clachan settlement on the basis of the existing level of services and to consolidate the settlement for local housing need.
on 14 th June: dentify Termon as a	Following desk top assessment there is no planning history of note, water is available and wastewater unavailable. The proposed clachan boundary identified below is within the speed limits and there are no nature, archaeology or flooding concerns.
Clachan.	The clachan would provide for local one-off residential housing need and not multiple or holiday home development.
	The Executive agree with the proposal and recommend the Clachan boundary as identified in (Appendix 7 below).
	On the proposal of CIIr Brogan, seconded by CIIr Kavanagh it was resolved to accept the recommendation of the executive and identify Termon as a "Clachan Settlement" on the basis of the existing level of services and to consolidate the settlement for local housing need.

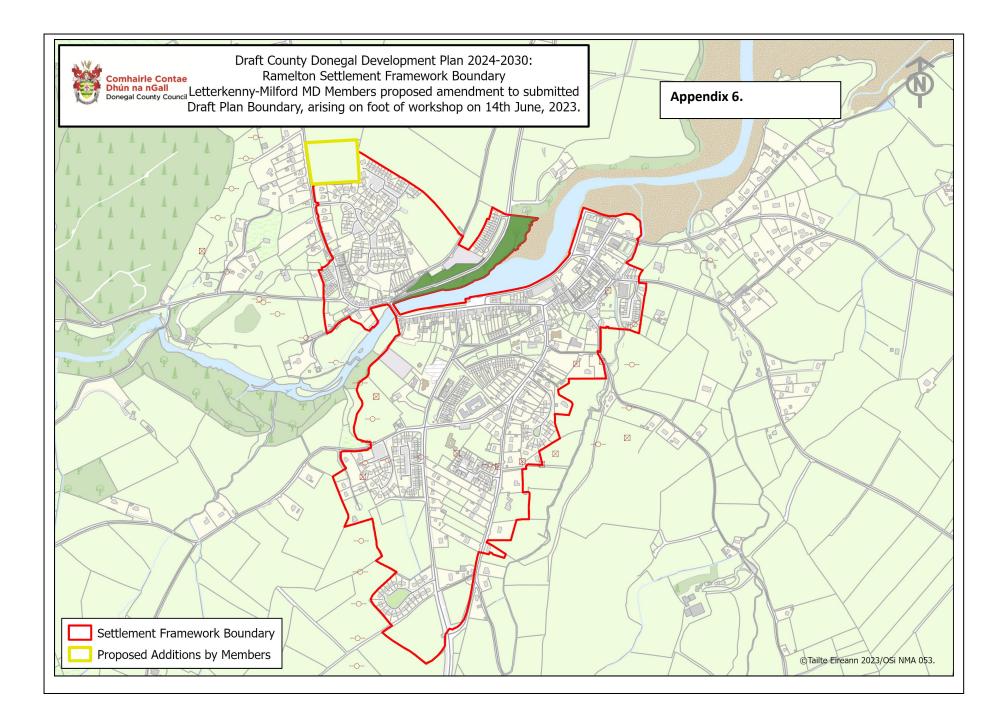


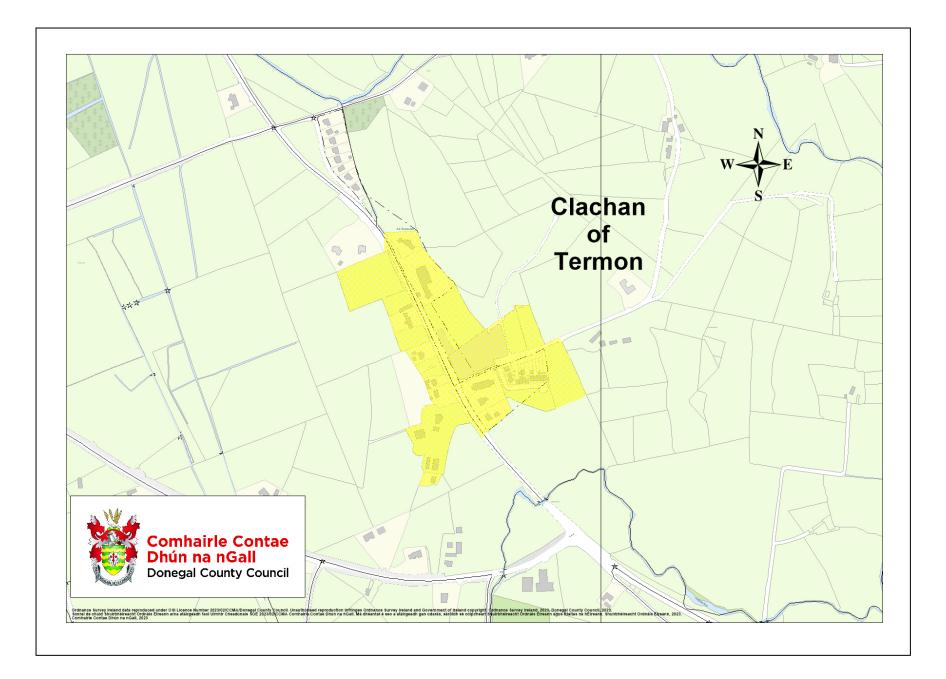












APPENDIX 2

ADDENDUM B:

SCHEDULE OF EXECUTIVE PROPOSED AMENDMENTS TO DRAFT

DONEGAL COUNTY DEVELOPMENT PLAN: Rural Housing Chapter 6 and associated mapping.

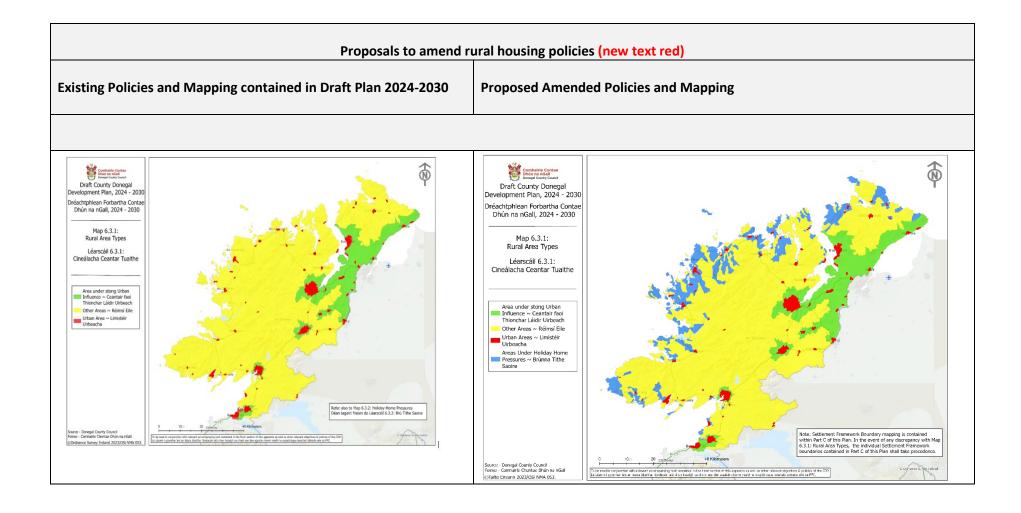
Proposais to amend	rural housing policies (new text red)
Existing Policies and Mapping contained in Draft Plan 2024-2030	Proposed Amended Policies and Mapping
RH-P-1	RH-P-1
To consider proposals for new one-off rural housing within 'Areas Under Strong Urban Influence' from prospective applicants that have demonstrated a genuine rural need for a new dwelling house and who can provide evidence that they, or their parents or grandparents, have resided at some time within the area under strong urban influence in the vicinity of the application site for a period of at least 7 years. The foregoing is subject to compliance with other relevant policies of this plan, including Policy RH-P-8.	To consider proposals for new one-off rural housing within 'Areas Under Strong Urban Influence' from prospective applicants that have demonstrated a genuine rural need for a new dwelling house and who can provide evidence that they, or their parents or grandparents, have resided at some time within the area under strong urban influence in the vicinity of the application site for a period of at least 7 years. The foregoing is subject to compliance with other relevant policies of this plan, including Policy RH-P-8.
New holiday homes will not be permitted in these areas.	This policy shall not apply where an individual has already had the benefit of a permission for a dwelling on another site, unless exceptional circumstances can be demonstrated.
	An exceptional circumstance would include, but would not be limited to, situations where the applicant has sold a previously permitted, constructed and occupied dwelling, to an individual who fulfils the bonafides requirements of that permission.
	New holiday home development will not be permitted in these areas.

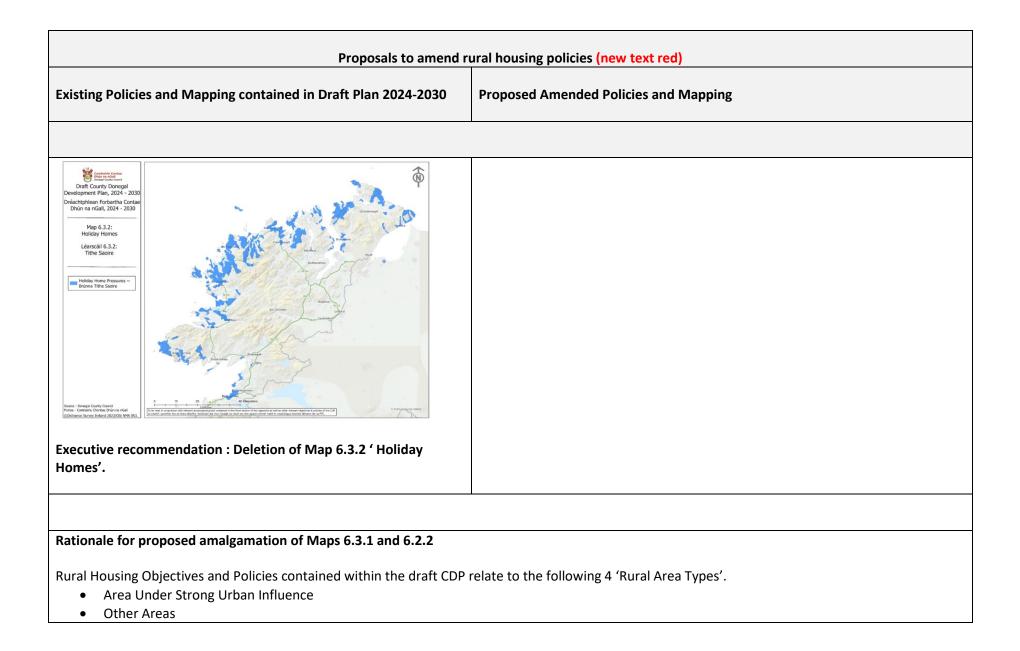
The amendments to draft policy RH-P-1 give clarification to the policy relating to new one-off housing in areas under strong urban influence where exceptional circumstances may be considered. The proposed new text is included in existing policy RH-P-3 of the current CDP 2018-2024.

	ural housing policies (new text red)
Existing Policies and Mapping contained in Draft Plan 2024-2030	Proposed Amended Policies and Mapping
RH-P-2	RH-P-2
To consider proposals for new one-off rural housing within 'Areas Under Strong Holiday Home Influence' from prospective applicants that have demonstrated a genuine rural need for a new dwelling house and who can provide evidence that they, or their parents or grandparents, have resided at some time within the area under strong holiday home influence in the vicinity of the application site for a period of at lest 7 years. The forgoing is subject to compliance with all other relevant policies of this plan, including Policies RH-P-8.	To consider proposals for new one-off rural housing within 'Areas Under Strong Holiday Home Influence' from prospective applicants that have demonstrated a genuine rural need for a new dwelling house and who can provide evidence that they, or their parents or grandparents, have resided at some time within the area under strong holiday home influence in the vicinity of the application site for a period of at lest 7 years. The forgoing is subject to compliance with all other relevant policies of this plan, including Policies RH-P-8.
New holiday homes will not be permitted in these areas.	This policy shall not apply where an individual has already had the benefit of a permission for a dwelling on another site, unless exceptional circumstances car be demonstrated.
	An exceptional circumstance would include, but would not be limited to, situations where the applicant has sold a previously permitted, constructed and occupied dwelling, to an individual who fulfils the bonafides requirements of that permission.
	New holiday home development will not be permitted in these areas.
Rationale for proposed amendment to policy RH-P-2.	
	relating to new one-off housing in areas under strong holiday home influence new text is included in existing policy RH-P-3 of the current CDP 2018-2024.
RH-P-4	RH-P-4

RH-P-4	RH-P-4
To consider proposals for single dwellings for permanent	
occupation/family homes within identified Clachans without	

Proposals to amend i	rural housing policies (new text red)
Existing Policies and Mapping contained in Draft Plan 2024-2030	Proposed Amended Policies and Mapping
 requiring the demonstration of a rural housing need, subject to the dwelling: a. being sited and designed in a manner that enables the development to be assimilated into the area; b. not giving rise to a road safety hazard; c. complying with public health standards; and d. otherwise complying with the policies of this plan. 	 To consider proposals for single dwellings for permanent occupation/family homes within identified Clachans without requiring the demonstration of a rural housing need, subject to the dwelling: a. being sited and designed in a manner that enables the development to be assimilated into the area; b. not giving rise to a road safety hazard; c. complying with public health standards; and otherwise complying with the policies of this plan. New Holiday Homes will not be permitted in these areas.
Rationale for proposed amendment to policy RH-P-4 The amendments to draft policy RH-P-4 clarifies that new holiday hor of this policy.	ne developments shall not be permitted within Clachans, as set out in the wording
Exising Draft Rural Housing Map 6.3.1 and Map 6.3.2	 New Map 6.3.1 'Rural Area Types' identifying all of the following 4 rural housing layers: Area Under Strong Urban Influence Other Areas Urban Areas areas Under Holiday Home Pressures Insert new map 6.3.1





	rural housing policies (new text red)
Existing Policies and Mapping contained in Draft Plan 2024-2030	Proposed Amended Policies and Mapping
Urban Areas, and	
Areas Under Holiday Home Pressures	6 3 2 illustrates only areas with holiday home pressure
• Areas Under Holiday Home Pressures Existing Map 6.3.1 illustrates 3 of these rural areas and existing Map	6.3.2 illustrates only areas with holiday home pressure. hall provide greater clarity for the consideration and implementation of policies.
• Areas Under Holiday Home Pressures Existing Map 6.3.1 illustrates 3 of these rural areas and existing Map Merging the 2 maps and illustrating all 4 designations on one map sl	, , ,
• Areas Under Holiday Home Pressures Existing Map 6.3.1 illustrates 3 of these rural areas and existing Map Merging the 2 maps and illustrating all 4 designations on one map sl	, , ,
• Areas Under Holiday Home Pressures Existing Map 6.3.1 illustrates 3 of these rural areas and existing Map Merging the 2 maps and illustrating all 4 designations on one map s	hall provide greater clarity for the consideration and implementation of policies.
 Areas Under Holiday Home Pressures Existing Map 6.3.1 illustrates 3 of these rural areas and existing Map Merging the 2 maps and illustrating all 4 designations on one map si Conclusion – Recommendation of the Executive: 	hall provide greater clarity for the consideration and implementation of policies.