

Addendum to the Chief Executive's Report of October 2017

Presented to adjourned Council Meeting of 13th December 2017



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Dhún na nGall**
Donegal County Council

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1.0 Background and Purpose of this Report

The Chief Executive's Report of October 2017 (the Chief Executive's Report) set out detailed responses in relation to submissions received in respect of the Draft County Development Plan 2018-2024 (Draft CDP) and furthermore included recommendations for 10 no. proposed Material Alterations, plus a range of non-material alterations to the Draft Plan.

Having considered the Chief Executive's report, including at the Plenary and MD level workshops in November 2017, the Members raised a number of further issues for deliberation in relation to the preparation of the Draft CDP. All of these matters have now been considered by the Executive and the detailed responses to all of these issues are contained in Appendix A of this Addendum.

The majority of the responses have not led to recommendations for additional alterations or edits to the Plan. However, in some instances, it has been concluded and recommended that alterations, some material and some non-material, are acceptable. The issues for which such recommendations are made are listed below:

1. The Border Area;
2. Policy CS-P-5 (Development of Towns In a Sequential Manner)
3. Policy ED-P-3 Policy ED-P-3 (Economic Development Within Designated Settlement Framework Areas and small-scale industrial buildings/processes)
4. Regional Road R265 (Status Of)
5. Urban/Rural Public Transport
6. Greencastle Harbour (Policy Context)
7. New Objective re Sustainable Settlement and Transportation Strategies - revised recommendation
8. Ten Times Tip Height - Possible Scenario
9. DCC-Owned Housing Sites (Zoning Of)

These recommendations are included in the responses in Appendix A and are also re-produced in the Table in Section 2.0 below for ease of reference. One of the recommendations relates to a new Chapter in relation to the Border. This item is also summarised in Table 2 but the detailed text is included at Appendix B having regard to the size of the text involved.

Two number additional non-material issues are also detailed at Section 3 below. These are in relation to: (1.) the TEN-T Network Upgrade proposals (as presented to Members at the Plenary Workshop on 22nd November, 2017); and (2.) the County's Greenway ambitions. Both of these edits arise from ongoing consultation with colleagues. Finally, Section 3 also includes a reminder to Members re the non-material Stage 1 Strategic Flood Risk Assessment attached as an Appendix to the report prepared for this Agenda Item on the November, Plenary Council meeting. These issues are addressed in Section 3 below:

- a. TEN-T Network (Review Of)
- b. Greenway Network/Proposals
- c. Stage 1 Strategic Flood Risk Information (for ease of reference)

It is worth re-iterating here, as advised previously and as required pursuant to Section 12(5)(aa) of the Planning and Development Act 2000 (as amended), that should Members decide not to comply with any recommendation made in the Chief Executive's report, then the Planning Authority must inform the Minister of any such decision. This Notice must be provided in writing and must contain reasons for the decision.

2.0 Summary of New Recommendations Arising from Members' Deliberations

It is recommended that the amendments as summarised below and set out in detail in the attached Appendices are added to those amendments considered at Section 1.7 of the Chief Executive's Report of October, 2017

	Issue	Recommendation
1	<p>The Border Area Members requested that the Plan be amended to provide greater recognition of the Border area.</p> <p>A draft new Chapter on the border has been drafted and is attached as Appendix B to the Addendum. Inserting the new Chapter requires minor edits at existing Section 1.4 and this is also addressed in the Recommendation.</p>	<p>Recommendation: To Replace section 1.4 of Chapter 1, entitled 'The Border Dimension' with the following text:</p> <p>'1.4 The Border Dimension Chapter 4 describes the border dimension within which this Plan has been prepared. The County shares 181km of border with Northern Ireland (adjoining the Councils of Derry City and Strabane and; Fermanagh and Omagh) and a further 11km of border with County Leitrim. It has 58 road crossing points to Northern Ireland and 7 with County Leitrim. The border dimension has impacted upon and shaped day-to-day social and economic activities in County Donegal as well as higher level strategic policy formulation, implementation and investment. The impacts of Brexit, while yet unknown have the potential to result in a combination of challenges and opportunities and this Plan aims to be robust and ready to respond to the potential outcomes'. (This is not a material alteration)</p> <p>Recommendation: To insert a new chapter as Chapter 4, The Border Dimension, as set out in Appendix B to this Addendum, and subsequently renumber the remainder of chapters and referencing system through the plan documents. (This is not a material alteration)</p>
2	<p>Policy CS-P-5 (Development of Towns In a Sequential Manner) A number of Members had raised concerns that a</p>	<p>Recommendation: To amend Policy CS-P-5 so that it reads as follows (new text in blue):</p>

	<p>requirement to guide the development of towns in a sequential manner (as expressed under Policy CS-P-5) may restrict development at the edge of settlements, particularly smaller settlements, and might otherwise lead to confusion in terms of the application of this policy.</p> <p>These comments have been noted and whilst it is recommended that Policy CS-P-5 be retained, Members will note the recommendation under Section 1(a).(iii).(c) of Appendix A, which clearly provides that the sequential approach will not be applicable in the case of small scale business enterprises (excluding retail development) of circa 1 to 2 employees.</p>	<p>It is a policy of the Council to guide development of towns in a sequential manner, outwards from the core area in order to maximise the utility of existing and future infrastructure provision, promote the achievement of sustainability, avoid 'leap-frogging' to more remote areas and to make better use of under-utilised land. This policy shall not apply to small scale business enterprises (excluding retail development) of circa 1 to 2 employees.</p> <p>(This is a material alteration)</p>
<p>3</p>	<p><u>Policy ED-P-3 (Economic Development Within Designated Settlement Framework Areas and small-scale industrial buildings/processes)</u></p> <p>A number of Elected Members referred to Policy ED-P-3 and queried whether small-scale industrial buildings or processes would be permissible in rural areas.</p> <p>In this regard, it is recommended to amend Policy ED-P-3 to clarify that development involving Industrial buildings or processes would be permitted where it meets the terms of Policy ED-P-13 (proposals for businesses in the rural area).</p>	<p>Recommendation:</p> <p>To insert clarification text into Policy ED-P-3 as shown in blue lettering so that it reads as follows:</p> <p>‘ Within designated Settlement Framework areas, it is a policy of the Council to consider economic development proposals involving an industrial building or process (as defined in Article 5 of the Planning and Development Regulations 2001, as amended) in the following circumstances and subject to the provisions of Policy ED-P-2 and ED-P-14:</p> <p>On land zoned for such use in this Plan or future Local Area Plans; or in an existing industrial/employment area.</p> <p>Elsewhere within settlement framework areas, proposals for an industrial use or process will be considered only in Layer 1 and Layer 2 settlements, and where it can be demonstrated that: there is no available zoned land or land on an existing industrial area; that the proposal is for a firm rather than speculative proposal; the development would be compatible with the locality; and that the development would make a substantial contribution to the economy of the area.</p> <p>Development involving Industrial buildings or</p>

		<p>processes, except where the proposed development meets the terms of Policy ED-P-13, will not be permitted outside the boundary of settlements in the open countryside unless related directly to a site specific product resource and the development proposed could not be located in a settlement in line with this policy’.</p> <p>(This is not a material alteration)</p>
4	<p><u>Regional Road R265 (Status Of)</u> Members had requested that greater recognition be given to Regional Road R265 in the CDP.</p> <p>It is recommended to include reference to the R265 in the text of the Plan that relates to the important Regional Road network.</p>	<p>Recommendation: To insert an additional (5th) bullet point at the end of page 62 (below the text relating to the undernoted Regional Road network) to state as follows:</p> <ul style="list-style-type: none"> ▪ The R265 from Carrigans to Rossgier. <p>(This does not constitute a material alteration).</p>
5.	<p><u>Urban/Rural Public Transport</u> An Elected Member stated that an objective should be included in the Development Plan in relation to urban/rural public transport. This was further referenced by an Elected Member at the Plenary workshop on 22nd November 2017 by means of a request that objective T-O-10 be amended to allow for new rural transport initiative using words such as ‘facilitate’ or ‘maximise’ because it reads as though the initiative has to be already in place. Furthermore, an Elected Member outlined that the Plan requires an objective around linking the County’s main towns together by public transport as transport hubs and links and indicated intention to propose this at the Council meeting on 27th November 2017.</p> <p>The comments of Members are acknowledged and the suggested revisions will add value to the Plan. Therefore there are two recommendation set out in the response.</p>	<p>Recommendation: To amend objective T-O-10 so that it reads as follows (new text in blue): ‘To support and facilitate the development, maximising of and expansion of existing and new public transport services including the Rural Transport Initiative.’</p> <p>(This is not a material alteration)</p> <p>Recommendation: To insert a new policy as T-P-30 (and renumber of the remaining policies in the section), so that it reads as follows (new text in blue): ‘It is the policy of the Council to support public transport hubs and connections between Letterkenny and the Layer 2A Strategic Towns together with appropriate links serving the rest of the County including the rural area.’</p> <p>(This is not a material alteration).</p>
6	<p><u>Greencastle Harbour (Policy Context)</u> An Elected Member sought clarification that Greencastle is included in T-P-20 and T-P-22 and its further development should be included in the National</p>	<p>Recommendation: Amend Policy T-P-20 so that it reads as follows (new text in blue, text for deletion in</p>

	<p>Investment Plan. This was reiterated at the Plenary Workshop on 22nd November 2017 including a request that T-P-20 would ensure a focus on Greencastle in addition to Killybegs.</p> <p>In the light of the comments of Members it is not considered to be material or detrimental to either Killybegs or Greencastle ports to reference both location in T-P-20 and T-P-22 and this is reflected in two recommendations below:</p>	<p>strikethrough): It is a policy of the Council to promote and facilitate the further development and expansion of Killybegs and Greencastle Harbour Centres as a strategically important commercial and leisure ports, subject to environmental considerations.'</p> <p>(This is not a material alteration).</p> <p>Recommendation: Amend Policy T-P-20 so that it reads as follows (new text in blue): It is a policy of the Council to promote and facilitate services at Magheroarty and Burtonport and to strengthen and further develop the strategically important ports of Greencastle and Killybegs.'</p> <p>(This is not a material alteration).</p>
<p>7</p>	<p><u>New Objective re Sustainable Settlement and Transportation Strategies - revised recommendation</u></p> <p>The Chief Executive's Report, October, 2017 included a recommendation that a new Objective is included in the Plan to reflect a requirement set out in the 'Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change' in relation to an obligation on planning authorities under Section 10(2)(n) of the Act. The recommendation was to insert the new Objective at Section 8.2.2 (Renewable Energy Objectives).</p> <p>In the context of a much broader suite of questions raised by a Councillor, it was suggested that this Objective would be more appropriately located elsewhere in the Plan as it has a much broader application that just renewable energy.</p> <p>This suggestion is agreed.</p> <p>The Recommendation in response to Bullet 6, Ref. 4b) in Appendix A proposes that the Objective is relocated to Section 2.10, Core Strategy Objectives. The recommendation is also to move some of the associated narrative to the same location. Finally, the recommendation also proposes the insertion of additional narrative by way of background for the new Objective at Sections Sections 2.1 (Core Strategy, Introduction) and 2.7 (Transportation Strategy).</p>	<p>Revised Recommendation:</p> <p>a. The recommendation at Recommendation 3 in the Chief Executive's Report (October, 2017) to insert a new Objective into the Plan remains. However, rather than insert it into Section 8.2.2 (Renewable Energy Objectives), it is now recommended that the Objective is inserted as Objective CS-O-17 at Section 2.10: 'Core Strategy Objectives'.</p> <p>This is a material alteration</p> <p>b(i.) The recommendation at Recommendation 4 in the Chief Executive's Report (October, 2017) to insert the narrative re: (i.) the Government's National Renewable Energy Action Plan, 2010; and (ii.) the Government's 'Strategy for Renewable Energy, 2012-2020' at Section 8.2.1 remains;</p> <p>This is not a material alteration</p> <p>b(ii.) The recommendation remains to insert the narrative re (i.) the Government's White Paper on Energy Policy; and (ii.) the National Mitigation Plan into the Plan.</p>

		<p>However, rather than insert it into Section 8.2.1, it is now recommended that the narrative is inserted at Section 2.1: Introduction, Core Strategy, together with additional narrative as follows;</p> <p>This is not a material alteration</p> <p>(1.) Insert additional narrative at Section 2.1, para. 3 after fourth sentence:</p> <p>'This approach is consistent with the national climate change and decarbonisation agenda underpinning Section 10(2)(n) of the Act and articulated in both: (i.) the Government's White Paper on Energy Policy; and (ii.) the National Mitigation Plan. The Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DCENR) sets out a framework to guide policy and the actions that it intends to take in the energy sector up to 2030 taking into account European and International climate change objectives and agreements, as well as Irish social, economic and employment priorities.</p> <p>The National Mitigation Plan contains a series of mitigation measures and actions to address the immediate challenge to 2020 and to prepare for the EU targets that Ireland will take on for 2030. The National Mitigation Plan covers greenhouse gas emissions in the Electricity Generation, Built Environment, Transport, and Agriculture, Forest and Land Use sectors. For each sector, the Plan sets out the sectoral policy context, the greenhouse gas emissions trends for each sector, the opportunities and challenges, mitigation measures currently in place and under development, and specific actions to take forward work within each sector. Notwithstanding, ...(County Donegal is predominantly a rural...)</p> <p>This is not a material alteration</p> <p>(2.) Insert additional narrative at</p>
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		<p>Section 2.7 (Transportation Strategy) after third sentence:</p> <p>'Notwithstanding the largely rural character of the County, the current inadequate public transport provision and the associated car-dependencies, the Plan nevertheless incorporates a focus on improving public transport provision (refer Section 5.1.2: Transportation Objectives; and Section 5.1.3: Transportation Policies). Together with the promotion in the Core Strategy of settlements as key drivers of the development of the County, these measures are intended to address the national climate change and decarbonisation agenda as referred to at Section 2.1 above.</p> <p>This is not a material alteration.</p>
8	<p><u>Ten Times Tip Height - Possible Scenario</u></p> <p>The final issue arises from consideration of another detailed point made in the Councillor's submission referenced at Pt. 6 above. This relates to the issue of the ten times tip height set-back provision as contained in the Technical Standards.</p> <p>The recommendation deals with a scenario that might arise if the Members decide to retain the 10 times tip height set-back provision but re-locate it from the Technical Standards to a policy in the Renewable Energy section of the Plan. <u>If this scenario emerges</u>, the recommendation provides suggested wording of the Policy.</p>	<p><u>Recommendation</u></p> <p><u>If this scenario emerges</u>, the recommended policy is as below (new text in blue and deleted text in strikethrough):</p> <p>E-P-12 It is the policy of the Council to:</p> <p>Consider the development of appropriate new wind energy developments within the areas identified as 'Open To Consideration' on the Wind Energy Map 8.2.1, subject to compliance with all other relevant objectives and policies contained within this Plan, and where they would not be located within:</p> <ul style="list-style-type: none"> (a) The zone of visual influence (ZVI) of the Glenveagh National Park. (b) The zone of influence/flight path at Donegal Airport. (c) Special Areas of Conservation (SACs), nor Special Protection Areas (SPAs) (d) The 6 Fresh Water Pearl Mussel (S.I. 296 of 2009) catchments

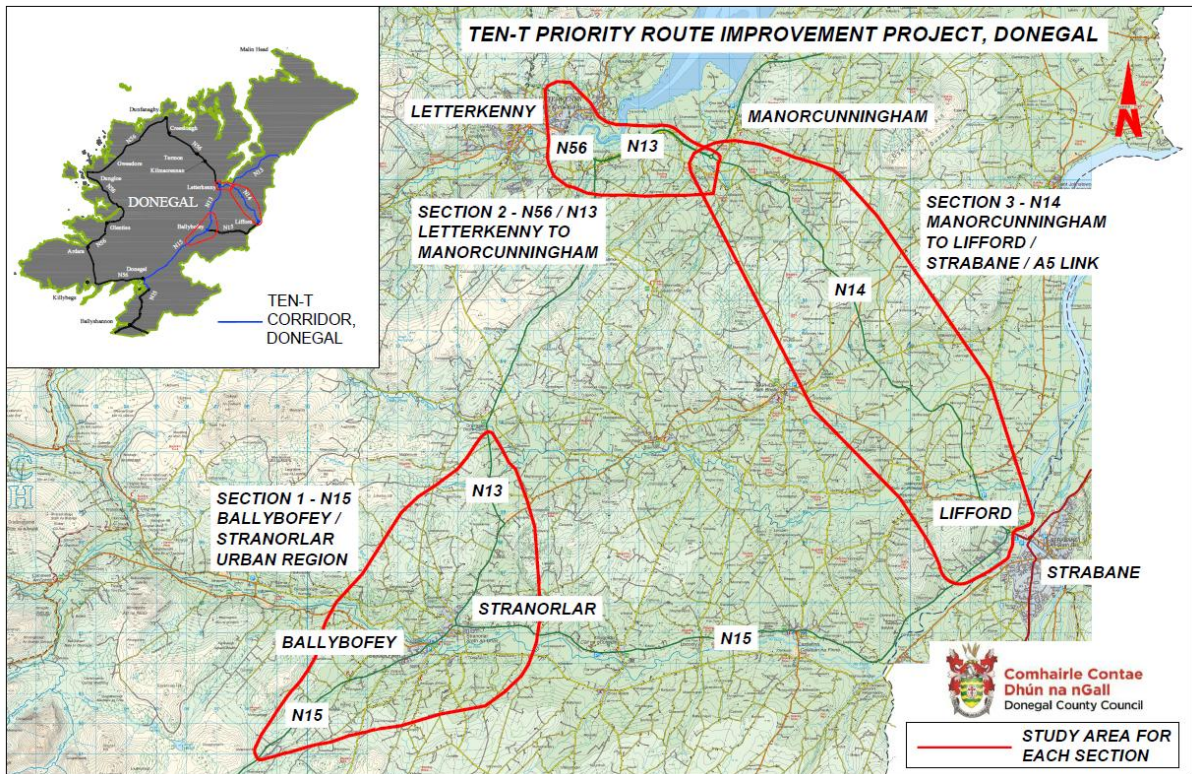
		<p>contained in the Freshwater Pearl Mussel Sub-Basin Management Plans for Clady, Eske, Glaskeelin, Leannan, Owencarrow and Owenea.</p> <p>(e) A set back distance of ten times the tip height of proposed turbines from residential properties and other centres of human habitation ('Centre of human habitation' includes schools, hospitals, churches, residential buildings or buildings used for public assembly).</p> <p>Consider the augmentation, upgrade and improvements of existing wind farm developments of the nature identified at (3) (a.), (b.) and (c.) below within areas identified as 'Acceptable for augmentation of/improvements to existing windfarms' on the Wind Energy Map 8.2.1 on a case by case basis subject to:</p> <p>(1.) compliance with other relevant objectives and policies contained within this plan and the following;</p> <p>(2.) the proposal not giving rise to any new detrimental impacts on:</p> <p>(i.) The zone of visual influence (ZVI) of the Glenveagh National Park; and</p> <p>(ii.) The zone of influence/flight path at Donegal Airport</p> <p>(3.) (a.) Repowering Repowering is the process of replacing older turbines with newer ones that either have a greater capacity or more efficiency which results in a net</p>
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		<p>increase of power generated. Repowering may also seek to extend the overall lifespan of the development. Proposals for repowering, shall not result in a net increase in turbines, and it shall be demonstrated that there is no adverse impact on the receiving environment; or</p> <p>(b.) Extension In areas located outside of Natura 2000 sites, proposals for an extension to an existing wind farm (of up to 20% in terms of permitted numbers of turbines or in cases where 5 or less turbines are permitted in a wind farm, one additional turbine) will be considered. The proposal will be required to demonstrate that the additional turbines may be served by the infrastructure serving the existing development; or</p> <p>(c.) Reapplication In areas located outside of Natura 2000 sites, where an existing wind farm has been permitted and this permission has expired, a revised proposal will be considered within the planning unit of the previously permitted development, and where it is demonstrated that there is no net increase in turbines.</p> <p>Not favourably consider wind energy proposals in those areas identified as 'Not Acceptable' on the Wind Energy Map</p>
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		8.2.1. This is a material alteration
9.	DCC-Owned Housing Sites (Zoning Of) A member expressed concerns around DCC-owned sites being zoned for residential use and equity in relation to other similar requests from the private sector. These concerns are acknowledged and agreed. To avoid any such concerns, it is proposed to amend the zoning of the Council-owned site at Kilty, Letterkenny on Map 12.1 B from 'Primarily Residential' to 'Strategic Residential Reserve'.	Recommendation Amend the zoning of the Council-owned site at Kilty, Letterkenny on Map 12.1 B from 'Primarily Residential' to 'Strategic Residential Reserve'. This is a material alteration.

3.0 Additional Items for Consideration

	Issue	Action
a.	TEN-T Network (Review Of) Pursuant to a submission from the National Roads Office (NRO), Members are advised that a variation to the County Development Plan is likely to be required in late 2018, as a result of the formal adoption of the routes contained in the TEN-T Priority Route Improvement Project.	As an advisory, it is proposed to include the following text and mapping in Section 5.1.1 of the Draft Plan, Strategic Roads Context (new text shown in blue, Map numbered 5.1): "Currently the Ten-T Priority Route Improvement Project Donegal is at Constraints Stage / Route Selection. The Route Selection will be completed by Q2/Q3 2018 and upon adoption of the preferred routes, a Material Alteration of the County Development Plan will be required. The new Ten-T Priority Route Improvement Project Donegal Route Corridors will supersede those 'historical project reserved corridors' currently within the County Development Plan as necessary, namely: • N13-N15 Ballybofey Stranorlar Bypass • N56 Letterkenny Relief Road • N14 Letterkenny to Lifford".



Map 5.1: Ten-T Priority Route Improvement Project, Donegal

	Issue	Action
b.	<p><u>Greenway Network/Proposals</u></p> <p>In the Chief Executive's report, a recommendation at Section 3.8.6 (pg. 69) recommended a Material Alteration to insert a new Objective 'To support the development of a coastal greenway between Falcarragh and Bunbeg.'</p> <p>More recently, the Council's Greenway's officer has provided an up-to-date overview of the ambitions in relation to Greenways across the County. These include a list of 21 such potential projects and a revised way of dealing with all of these projects in a consistent manner is contained in the recommendation. Thus it is proposed to make further reference to walking, cycling and Greenways throughout the Plan, as per the suggested text in the adjacent column (existing text in black, new text shown in blue). All of these amendments are deemed to be non-material alterations to the Draft Plan.</p>	<p>Recommendation</p> <p>(nb. This recommendation supersedes Recommendation at p.3.8.6 of the Chief executive's Report of October, 2017)</p> <p>Amendment of text in Section 4.1.3 Economic Development Strategy to refer to cycling: "but emerging diversification opportunities with horse riding, angling, sailing, surfing ,walking, cycling and eco-tourism all have the potential to attract visitors from both home and overseas and create supporting jobs."</p>
		<p>Amendment of Economic Development Policy ED-P-13 to include reference to cycling: "(e.g. farmhouse accommodation, pet farms, farm holidays, health farms, equestrian activities, bird-watching holidays, painting and photography tuition, angling tourism, field studies, cycling and hill-walking)."</p> <p>Insertion of the following text into</p>

		<p>Section 5.1.1: "Smarter Travel – A Sustainable Transport Future, 2009-2020 comprising ambitious targets for modal shift (moving to modes of travel alternative to road based transit particularly the private motorcar), a reduction in transport emissions, and easing of congestion. It is recognised that there are opportunities through the development of rural cycleways and greenways to provide sustainable linkages, however, the reality for Donegal is that it is largely dependent on its strategic roads network, and that this will continue to be the case for the foreseeable future,"</p>
		<p>Amendment of Objective T-O-13 to specifically refer to greenways: "To support the development of new walkways, walking routes, trails, greenways and cycleways."</p>
		<p>Amendment of Policy T-P-3 to include references to walking and cycling: "It is a policy of the Council to work in partnership with the Northern Ireland authorities to strengthen and improve existing cross border transportation links (including walking and cycling routes) and support the development of new links (including walking and cycling routes) to enable the targeted spatial and economic development of the North West City Region."</p>
		<p>Amend Policy T-P-24 to refer to greenways as strategic infrastructure: "It is a policy of the Council to protect established/historic railway corridors throughout the County primarily for strategic infrastructure provision (such as rail/road/greenway projects) and secondly for recreational development. Along these corridors other uses shall not be considered. Where these corridors have already been compromised by development, adjacent lands which could provide opportunities to bypass such an impediment and reconnect these routes for amenity purposes (walking/cycling) shall be protected for this purpose. However, in all instances, the over-riding objective shall be the</p>

		provision of strategic infrastructure.”																
		Amend Policy T-P-28 to refer to park and cycle schemes: “It is a policy of the Council to support and facilitate the development of public, semipublic and community projects and proposals which provide innovative transport solutions in rural, disadvantaged and border areas such as rural park and ride schemes, rural carpooling and car sharing schemes, park and cycle schemes and bus and taxi schemes in consultation with public, private and community organisations north and south subject to the proper planning and sustainable development of the area.”																
		Amend Policy T-P-30 to refer to greenways: “It is a policy of the Council to ensure that development proposals protect the route of potential linkages (such as linear parks, roads, footpaths, trails, greenways and cycleways) through the subject site where the planning authority considers that a strategic opportunity exists to provide a linkage to or between adjoining areas.”																
		Amend Policy T-P-34 to specifically refer to greenways: “It is a policy of the Council to encourage and facilitate joined up long distance walking and cycling routes and greenways for recreation and as alternatives to the car, particularly in rural areas, between settlements. Adequate car parking facilities shall be provided, where required, in association with any such developments.”																
		Amend the text on pg. 138 (para. 2) to make reference to a new table (Table 9.1), which identifies Potential Greenway Developments as follows: <table border="1" data-bbox="986 1720 1401 2049"> <tr> <td>1</td> <td>Buncrana-Derry</td> </tr> <tr> <td>2</td> <td>Derry - Muff</td> </tr> <tr> <td>3</td> <td>Ballybofey - Donegal Town</td> </tr> <tr> <td>4</td> <td>Ballybofey - Glenties</td> </tr> <tr> <td>5</td> <td>Polestar - Dry Arch</td> </tr> <tr> <td>6</td> <td>Illistrin - Kilmacrennan</td> </tr> <tr> <td>7</td> <td>Carrigart - Downings</td> </tr> <tr> <td>8</td> <td>Buncrana -</td> </tr> </table>	1	Buncrana-Derry	2	Derry - Muff	3	Ballybofey - Donegal Town	4	Ballybofey - Glenties	5	Polestar - Dry Arch	6	Illistrin - Kilmacrennan	7	Carrigart - Downings	8	Buncrana -
1	Buncrana-Derry																	
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6	Illistrin - Kilmacrennan																	
7	Carrigart - Downings																	
8	Buncrana -																	

			Carndonagh
		9	Carndonagh - Malin Head
		10	Carndonagh - Moville
		11	Moville - Greencastle
		12	Moville - Muff
		13	Carrigans - Lifford
		14	Dungloe - Glenties
		15	Letterkenny - Burtonport
		16	Ballyshannon - Belleek
		17	Donegal Town - Killybegs
		18	Donegal Town - Bundoran
		19	Lifford - Letterkenny
		20	Lifford - Ballybofey
		21	Falcarragh - Bunbeg
			Insert Reference to the National Cycle Manual (National Transport Authority, June 2011) in the list of planning guidance documentation contained under Section 1.1 of Part B: Appendix 3, Development Guidelines and Technical Standards.
c.	<u>Stage 1 Strategic Flood Risk Information (for ease of reference)</u> Recommendation 1 on page 35 of the Chief Executive's Report of October 2017 noted that a Stage 1 Strategic Flood Risk Assessment (SFRA) would be carried out and presented to Members. This Stage 1 SFRA was provided to Members at the Council meeting of 27 th November 2017 and Members will have noted the findings to proceed to a Stage 2 SFRA in respect of 10 settlements; namely Letterkenny, Bunrana, Bundoran, An Clochán Liath, Ballybofey-Stranorlar, Ballyshannon, Bridgend, Carndonagh, Donegal Town and Killybegs.		<u>Recommendation</u> This is background document and does not form part of the Plan. Members are advised that tenders have now been sought for consultants to carry out the Stage 2 SFRA in each of the seven towns addressed in the Draft Seven Strategic Towns Local Area Plan and are due to commence work in early January, 2018. (Please refer to Section 3 of report for November Plenary Council meeting.)

Appendix A

Issues Raised by Elected Members at Plenary and MD Workshops November, 2017 and Response of Executive

Appendix A: Issues Raised by Elected Members at Plenary and MD Workshops November, 2017 and Response of Executive

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
1a)	Core Strategy, Towns and Villages and Rural area - Urban	(i) NPF	<p>Members referred to the draft NPF document and made a number of comments as follows:</p> <ul style="list-style-type: none"> ▪ Members outlined concerns around implications of NPF for 'rural Ireland, rural communities and rural Donegal; and, in tandem, concerns that there is an over-emphasis in NPF and CDP on town and village development priorities. Concern that the strategy of the NPF will have the effect of closing rural Donegal down. This was reiterated by Elected Members at the Plenary Workshop on 22nd November 2017. In addition, an Elected Member queried the impact of the NPF on the County's small towns particularly in relation to economic development as the NPF will consider many of County Donegal's small towns as 'rural areas.' ▪ Members requested clarification as to the effect of the NPF once adopted on the CDP and 7 towns LAP. ▪ Related to this, Members expressed concerns that the housing supply to be obtained from existing vacant and derelict properties will, in reality, be minimal due to the condition of these properties and also banking restrictions. ▪ Members requested clarification around the definition of 'urban generated areas' in the NPF and will this mean less 'urban generated areas' in the Development Plan. 	<p>The comments of the Elected Members are acknowledged and have been reflected in the submission made to the Draft NPF consultation process (in addition to comments re the identification of a regional approach to growth in the North West and identification of essential strategic investment priorities). Notwithstanding the Draft NPF and the RSES, there is an obligation to ensure that the development plan provides for rural areas and in this regard the Draft Development Plan continues to prioritise rural housing for genuine rural need, reduces the number of areas identified as 'Urban Generated Rural Housing' and provides a policy framework for appropriately scaled rural economic development.</p> <p>It is not anticipated that the broadly positive approach to rural housing and economic development contained in the Draft Plan will require any significant adjustment following finalisation of the NPF. However, once the NPF is finalised, consideration will be given to any impact on the County Development Plan. Of more specific interest however, the process to prepare a Regional Spatial and Economic Strategy (RSES) has been commenced by the NWRA through the publication of an Issues Paper and invitation to make submissions to the NWRA by 26th January 2018.</p>
		(ii) Border	<p>a) Members requested the Plan be amended to provide greater recognition of the Border area including the need to zone industrial lands in places like Killygordon and the need to secure important strategic accesses onto the national roads network. This was further developed by Elected Members at the Plenary Workshop on 22nd November through discussion on the manner in which the Plan addresses the border dimension and</p>	<p>a) As requested by Elected Members, a separate chapter in relation to the border dimension has been drafted and the text is appended to the addendum as Appendix B. As a result, there are two recommendations set out below:</p> <p>Recommendation: To Replace section 1.4 of Chapter 1, entitled 'The Border</p>

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			<p>border communities. Members noted the content in the draft Plan and further requested that the Border be addressed in a separate and dedicated chapter with particular reference to the following:</p> <ul style="list-style-type: none"> ▪ Day-to-day impacts of living in a border region. ▪ Trade/ retail ▪ Currency ▪ Services ▪ Education ▪ Health Services ▪ Social welfare ▪ International funding ▪ Transport <p>b) A number of Elected Members sought Ballybofey-Stranorlar to be recognised as strategically important.</p> <p>c) A number of Elected Members requested the Plan be amended to provide stronger links with Fermanagh to</p>	<p>Dimension' with the following text:</p> <p>'1.4 The Border Dimension Chapter 4 describes the border dimension within which this Plan has been prepared. The County shares 181km of border with Northern Ireland (adjoining the Councils of Derry City and Strabane and; Fermanagh and Omagh) and a further 11km of border with County Leitrim. It has 58 road crossing points to Northern Ireland and 7 with County Leitrim. The border dimension has impacted upon and shaped day-to-day social and economic activities in County Donegal as well as higher level strategic policy formulation, implementation and investment. The impacts of Brexit, while yet unknown have the potential to result in a combination of challenges and opportunities and this Plan aims to be robust and ready to respond to the potential outcomes'.</p> <p>(This is not a material alteration)</p> <p>Recommendation: To insert a new chapter as Chapter 4, The Border Dimension, as set out in Appendix A to this report, and subsequently renumber the remainder of chapters and referencing system through the plan documents.</p> <p>(This is not a material alteration)</p> <p>b) Ballybofey- Stranorlar is recognised as strategically important in the Draft CDP as it is identified as a Layer 2A 'Strategic Town.' its importance is reflected in the Local Area Plan being prepared for the town with the Draft Plan currently out for public consultation. The strategic importance of the Twin towns is also reflected in the broader corporate agenda that includes identification of the Bypass as a key element of the TEN-T Priorities project, and also inclusion of the upgrade of the treatment works in Irish Water's Capital Investment Plan</p> <p>c) Continued interaction with cross border and county partners is being advanced though a number of mechanisms to ensure</p>

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			the east and Sligo to the south.	joined up and coordinated planning and development within the region including direct formal and informal consultation on; planning, strategic infrastructure, economic development; transboundary consultation; professional integration and; of course through engagement in the Northern and western regional Assembly and the North West Strategic Growth Partnership. In addition, the CE report contains non- material amendments to Strategic Objective 1 to specifically strengthen the references in relation to t Sligo , Leitrim, Monaghan and Cavan as well as partners in Fermanagh and Omagh District Council.
		(iii) Layer System	<p>Elected Members referred to the layer system set out in the settlement structure of the core strategy and made the following comments:</p> <ul style="list-style-type: none"> ▪ A number of Elected Members expressed concern in relation to the approach to identifying settlement layers in the settlement structure and differentiating between towns by placing them within specific layers. ▪ An Elected Member outlined objection to the system of layers ▪ An Elected Member expressed concern that the number of towns in the County is reducing e.g. Churchill is not classified as a town. ▪ An Elected Member sought clarification of the placing of Kilcar and queried whether it should be promoted to layer 2. 	<p>The 'Settlement Structure' contained in the core strategy fulfils the statutory requirement of Section 10(1A) of the Act and therefore is a mandatory and essential part of the Plan.</p> <p>The Settlement Structure comprises the County's large network of towns and villages (62 in total) and importantly its wider rural area which provides for significant community and economic vibrancy across the County. The number of locations that are identified as towns and villages in the draft CDP is the same as identified in the existing CDP (2012-2018). In this regard and during the preparation of the existing CDP (2012-2018) a comprehensive exercise was undertaken to review the extent of previous 'control points' in the context of a range of indicators including population, historical context, diversity of land uses and infrastructural capacity. Through this evidence-based exercise, 62 locations were identified as meeting these criteria. A range of other locations were also identified as being more appropriately considered as forming part of, and contributing to rural communities and with their continued vibrancy and appropriate growth being better catered for under the rural policies of the plan. Therefore, the number of towns brought forward within the proposed settlement structure of the Draft Plan has not altered since 2012.</p> <p>Layer 3 comprises rural towns and open countryside and within it, 38 'rural towns' have been named and each provided with a settlement boundary. (Note that Portnablagh is recommended to be named as a Layer 3 'rural town' through recommended Material Alteration 2 in the CE report, page 119 refers). It is acknowledged that there are</p>

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				<p>other locations in Layer 3 where there are active communities in the rural area. These communities are characterised largely by collections of rural housing in a dispersed settlement pattern. Examples of these areas include Malinbeg (as referred to in public submission 260) and Churchill. These locations are not identified as rural towns as to do so would be detrimental to the inherent and special characteristics of these areas as it would provide a policy framework for urban type developments and densities. In lieu, these types of areas are better catered for through the rural policies of the plan which, in relation to economic development, provide for opportunities such as business that could serve as a valuable addition to the local economy and/or tourism offering in the area or comprise home-based business of limited scale (circa 1-2 employees) (ED-P-13 refers).</p> <p>Specifically in relation to Kilcar, it is considered that its identification as a layer 3 town is appropriate as it reflects the scale and level of activity that exists at present and is also catered for through the economic development, tourism and Gaeltacht policies of the plan. Its identification as a layer 3 town is not considered to have any potential negative impact on the future potential for the town and therefore no alteration to the Draft Plan is recommended.</p>
		a) Encouragement of development to settlements	a) Members outlined concerns re 'directing' development to settlements where there is limited/no infrastructural capacity, particularly foul treatment capacity and the limitations on that will be placed on development as a result of these circumstances. Members also outlined the need to ensure that Irish Water is investing in towns that do not have infrastructural capacity at present. Furthermore, at the Plenary workshop on 22 nd November 2017, an Elected Member referred to Irish water's specification for treatment systems and queried whether Donegal County Council can get into a position of taking over or looking after treatment systems in order to push forward development in the County.	a) The Core Strategy of the Plan acknowledges the infrastructural deficiencies in the County's towns particularly in relation to waste water services. However, the clear role of a Development Plan is to set out a vision of a strong, vibrant, innovative and economically competitive County as well as the steps required to achieve this vision. The steps required will include a range of activities including community engagement, private sector investment and innovation, investment in public space, public sector investment in roads and social housing, enterprise support and, where there are water services deficiencies, will require innovation, planning and a co-ordinated response, including working with Irish Water to find potential resolutions to the deficiencies.

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			<p>b) An Elected Member sought assurances that permission would be granted when adequate infrastructural services are in place (particularly reference to Irish Water Capital Investment Programme).</p> <p>c) An Elected Member outlined that there is a need to fast track key vacant/derelict sites</p> <p>d) A number of Elected Members outlined concern in relation to recommended new Policy UB-P-29 (a recommended material alteration). Policy relates to holiday homes in settlement framework areas and provides that the (otherwise) required maintenance of a quota balance of a maximum of 20% of all residential units to be holiday homes in such settlement framework areas may be set aside for such developments on genuinely brownfield sites, and subject to other policy provisions.</p> <p>e) A number of Elected Members referred to the squeeze on Letterkenny and Bunrana in relation to lack of land.</p>	<p>b) The Draft Development Plan provides a suite of objectives and policies which are considered in the round in making decisions on planning applications so as to layer the various requirements and considerations as to the appropriateness of the development proposed. Demonstration of adequate and available waste water and water services as part of a planning application would comply with policies WES-P-2 and WES-P-11 of the Draft Plan and would contribute towards a presumption in favour of a proposed development subject to compliance with all other objectives and policies of the Plan.</p> <p>c) The need to advance key vacant/ derelict sites is considered to be an important priority in the regeneration of towns and this is being addressed in a number of ways including continued collaboration with the Housing section in identifying suitable regeneration sites that have the potential to deliver social housing and through the vacant sites levy and the Derelict Sites Register.</p> <p>d) The proposed UB-P-29 (Material Alteration 3 in the CE Report) provides that, in towns where the 20% quota for holiday home development has been exceeded, consideration can be given to the use of appropriate brownfield lands to meet holiday home demand. This proposed policy is considered to be a positive and sustainable policy that will allow further options to address vacancy and dereliction in towns in order to help to bring under-utilised lands back into productive use. In addition and for clarity, the content of Policy UB-P-29 reflects the wording that forms part of existing holiday home policy in the CDP 2012 and the Material Alteration serves to rectify the omission of the carryover of this policy from the existing CDP to the Draft CDP.</p> <p>e) The need for comprehensive review of land zoned for residential purposes in both Letterkenny and Bunrana is noted. The steps required in order to carry out this review require a detailed and evidence based assessment of lands and this requires the dedicated processes for the preparation of specific local area plans (LAPs). LAPs are programmed to commence in Q1 2018 for Letterkenny and Q4 in relation to Bunrana.</p>

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			f) A number of Elected Members outlined concern in relation to the restrictiveness of settlement framework boundaries.	f) Members discussion of settlement framework boundaries has been carried out at MD workshops in November 2017 with anticipated proposals coming forward from members to the adjourned Council meeting of 13 th December 2017.
		a) Social Housing	<p>a) Members outlined concerns around the implementation of the social housing programme with particular requests to:</p> <ul style="list-style-type: none"> (i) Spread the provision around the smaller settlements, as well as the larger ones; (ii) consider options for acquisition of vacant/derelict property; (iii) Consider funding options for the renovation of derelict and old buildings. (iv) Query as to whether it is possible to quantify how many vacant houses there are in some of the larger housing estates in particular; (v) If there are infrastructural deficits, need to find innovative ways of addressing them. (vi) Regenerate existing housing estates such as Long Lane, Letterkenny (vii) Engage with the housing section <p>b) A number of Elected Members stated that the lack of infrastructure in smaller settlements will prohibit delivery of social housing there and stated that planning, housing and roads need to work together to deliver on this.</p>	Update to be provided at Council Meeting.
		c) Sequential Test	<p>A number of Elected Members commented in relation to the sequential approach (Policy CS-P-5) as follows:</p> <ul style="list-style-type: none"> ▪ Concerns re application of sequential test(s) restricting edge-of -settlement developments and capacity of settlements as currently defined. ▪ Clarification sought around how an applicant demonstrates that there is no other land available in relation to the sequential growth of towns and how 'available land' is defined. ▪ Seeking definition of what is meant by 'sequential'. ▪ Small businesses employing 1 to 2 people should be 	As outlined in the CE Report, policy CS-P-5 is a positively positioned policy to guide development in a sequential manner outwards from the existing and functioning cores of each town. The planning principle embodied in this policy is supported by a range of national guidelines including the Retail Planning Guidelines, 2012 and the Development Plan Guidelines, 2007. Its implementation will encourage that new development is close to existing services, amenities and infrastructure and will contribute to the strengthening and regeneration of towns and assist in better place making. The inclusion of this approach in the Plan is essential in terms of discharging and providing for the proper planning and sustainable

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			<p>provided for if they are located within a town boundary although not within the town centre. In these cases Policy CS-P-5 should not apply or Policy CS-P-5 should be amended.</p> <ul style="list-style-type: none"> ▪ At the Plenary Workshop on 22nd November 2017, an Elected Member outlined that there is no rationale to apply the sequential test in smaller towns and sought clarification as to whether the sequential tests does in fact apply in smaller towns and villages. In addition, an Elected Member referenced the Donegal Town decision to refuse permission for a cinema and the Pinehill Industrial Estate in Letterkenny and indicated that it is a policy which is hard to understand. 	<p>development of the County as is required under the Planning and Development Act 2000 (as amended). As set out in the CE Report, it is recommended that Policy CS-P-5 be retained.</p> <p>However, the concerns of Elected Members in relation to CS-P-5 have been clearly articulated and are acknowledged in respect of small scale business in particular. In the light of Members comments there are two key areas of response set out below in relation to (i) implementation and (ii) consideration of exceptions for small scale economic development.</p> <p>Firstly, the implementation of CS-P-5 requires flexibility and realism on the part of both applicants and the planning authority in demonstrating that a proposed site is suitable in the context of the sequential growth of the town in question and that there are no other lands suitable and available that would be located closer to the core. The type of information required will vary dependant on the particulars of individual proposals but may include evidence of other lands being locked and inaccessible; having a significant flood risk; having substantial environmental constraints; having archaeological constraints; having ownership constraints as examples. These matters can be explored through pre-planning and planning application procedures or if appropriate, through Local Area Plan processes.</p> <p>Secondly, and to reflect the rural economic development strategy in the Plan to encourage start-up business and small scale enterprise, it is proposed to provide an exception to CS-P-5 specifically for small scale business enterprises (circa 1-2 employees) within the settlement framework boundaries of towns as set out in the recommendation below. It is noted that neighbourhood retail units are provided for adequately within the policy framework for the County's Strategic Towns of Letterkenny and the Layer 2A towns. This approach supports the economic development strategy of the Plan in encouraging local and indigenous enterprise by providing flexibility in locational options in the initial establishment of new business. The recommendation below would constitute a material alteration to the Plan.</p>

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				<p>Recommendation: To amend Policy CS-P-5 so that it reads as follows (new text in blue): It is a policy of the Council to guide development of towns in a sequential manner, outwards from the core area in order to maximise the utility of existing and future infrastructure provision, promote the achievement of sustainability, avoid 'leap-frogging' to more remote areas and to make better use of under-utilised land. This policy shall not apply to small scale business enterprises (excluding retail development) of circa 1 to 2 employees. (This is a material alteration)</p>
		a) Youth	a) An Elected Member stated that a Youth Retention Strategy for Donegal is needed.	The suggestion that a Youth Retention Strategy is needed for the County has merit and the principle of any such strategy is central to the overall vision of the Draft Plan and forms part of the ongoing collaborative work of the North West Strategic Growth Partnership. The partnership has identified that the population in the region is a young population and connects the retention of the youth population with securing sustainability and choice in employment; improving accessibility; encouraging innovation and creativity and in further developing the quality of life that the region has to offer. This work will continue in the cross- border and regional context.
		b) Elderly	a) An Elected Member stated that the plan should encourage independent living in town centres for older people (such as retirement villages) so as to be close to amenities and services.	The Plan as drafted supports independent living in town centres such as retirement villages specifically through policy UB-P-1 which directs new multiple residential development to towns and also policy CCG-P-1 which relates to the consideration of proposals for new social and community infrastructure/ service related developments (e.g. healthcare facilities, sheltered housing facilities, nursing homes, residential care homes, sports/ recreational facilities, playgrounds, community resource centres, new education facilities etc) and it prioritises locations within towns within safe walking distance of local services and residential areas and which would otherwise promote social inclusion.
1b)	Core Strategy, Towns and Villages and rural area	a) Implications of NPF	a) Concerns around implications of NPF for 'rural Ireland, rural communities and rural Donegal; and, in tandem, concerns that there is an over-emphasis in NPF and CDP on town and village development priorities. Concern that the strategy of the NPF will have the effect of	a) The comments of the Elected Members are acknowledged and have been reflected in the submission made to the Draft NPF consultation process (in addition to comments re the identification of a regional approach to growth in the North West and identification of essential strategic investment priorities).

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	- Rural housing		<p>closing rural Donegal down. This was reiterated by Elected Members at the Plenary Workshop on 22nd November 2017. Related to this, Members outlined concerns that the housing supply to be obtained from existing vacant and derelict properties will, in reality, be minimal due to the condition of these properties and also banking restrictions.</p> <p>b) Concerns that focus on serviced sites in smaller settlements will make it more difficult to secure permission for a house in the rural area. This was reiterated at the Plenary Workshop on 22nd November 2017.</p>	<p>Notwithstanding the Draft NPF and the RSES, there is an obligation to ensure that the development plan provides for rural areas and in this regard the Draft Development Plan continues to prioritise rural housing for genuine rural need, reduces the number of areas identified as 'Urban Generated Rural Housing' and provides a policy framework for appropriately scaled rural economic development.</p> <p>It is not anticipated that the broadly positive approach to rural housing and economic development contained in the Draft Plan will require any significant adjustment following finalisation of the NPF. However, once the NPF is finalised, consideration will be given to any impact on the County Development Plan. Of more specific interest however, the process to prepare a Regional Spatial and Economic Strategy (RSES) has been commenced by the NWRA through the publication of an Issues Paper and invitation to make submissions to the NWRA by 26th January 2018.</p> <p>b) The purpose of objective UB-O-8 to (to explore the potential of delivering serviced sites within towns) is solely to offer options and housing choice to individuals. It is not in competition with or as a preference to rural housing for persons with genuine rural need and who otherwise satisfy the requirements of the rural housing policy.</p>
		a) Principle	a) Not supportive of the holiday home policy for rural areas and in lieu considers a 20% balance of holiday homes to permanent homes in rural areas should be implemented. This point was reiterated by two Elected Members at the Plenary workshop on 22 nd November 2017.	a) The policies and objectives of the Draft CDP 2018-2024 recognise that appropriate holiday home development can bolster an area in terms of its tourism potential. County Donegal has over the last 10-15 years experienced significant holiday home pressures which results in impacts on some of the most scenic parts of the County and the most environmentally sensitive locations. The Plan reserves the limited land resources of Donegal's rural areas for new housing for permanent occupation, prioritising rural and indigenous need. There are other options for new holiday home development in the Plan including within towns subject to a balance of holiday home to permanent homes, on brownfield lands in towns, as ancillary accommodation as part of a resource

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			<p>b) In relation specifically to rural housing for permanent occupation, the following comments were made:</p> <ul style="list-style-type: none"> ▪ Consideration to be given to town employees for a house in the rural area. This point was reiterated by an elected member on 22nd November 2017. ▪ Rural housing policy should fundamentally be based on whether applicants have social and intrinsic links to the area. ▪ Concerned that the plan will only provide for rural people to build a house in the rural area if they can demonstrate an economic need. ▪ Request that Gaeltacht policies should be strengthen in the plan including that Irish language users should be permitted to live in their rural area. Request that planners provide the appropriate wording. At the Plenary workshop on 22nd November 2017, an Elected Member elaborated on this point outlining that Gaeltacht policy CCG-P-18 is not being properly applied as rural housing policies take precedence over Gaeltacht policy. 	<p>related tourism project or indeed through the reuse of the extensive number of vacant residential units that exist in County Donegal. In addition, it is noted that census 2016 records that 11,341 holiday homes already exist in County Donegal. Therefore and as recommended in the CE Report, it is not considered appropriate to amend the Draft Plan in relation to holiday home development in rural areas.</p> <p>b) The focus of the rural housing policy in the Draft Plan is on ensuring that genuine rural housing needs including in Gaeltacht areas are provided for as the priority, whilst also having regard to the need to protect the environmental qualities and scenic amenities of the County and comply with all relevant technical standards. To clarify, the rural housing policy of the Draft CDP does not limit rural housing to persons who can demonstrate an economic need. Rather, the Policy is fundamentally based on whether applicants have intrinsic links to the area. This may include persons who are employed within towns if intrinsic links and genuine need can be established. No changes are recommended to the rural housing strategy of the Draft Plan and this is consistent with the approach set out in Circular Letter PL2/2017, which issued on 31st May 2017 and which advises (a.) that a Working Group has been established at a national level to review and, where necessary, recommend changes to the 'Sustainable Rural Housing Guidelines' arising from the 'Flemish Decree' case and the judgement of the European Court of Justice in this regard and (b.) that the forthcoming National Planning Framework will further assist in informing the revision of the 2005 Guidelines. Circular Letter PL2/2017 advises that Planning Authorities "should defer amending their rural housing policy/ local housing need criteria in existing statutory Development Plans either by way of the cyclical review or variation procedures pending the conclusion of the Working Group deliberations and the publication of the NPF. Accordingly, no changes to rural housing policy are recommended at this time.</p>
		c) Implementation	a) Elected Members outlined a number of concerns in relation to implementation of rural housing policy as	a) The issues raised by Elected Members are topics for the implementation discussions that have been committed to already.

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			<p>follows:</p> <ul style="list-style-type: none"> ▪ Concern that policy NH-P-17 is being implemented as a blanket ban on development between the road and the sea. ▪ Policy in relation to ribbon development is too restrictive and development should not be considered as creating a ribbon if it represents backfilling, if there is a contour change, if there is a break in the ribbon. There needs to be greater flexibility in implementation. ▪ At the Plenary workshop on 22nd November 2017, an Elected Member considered that there is no real difficulty with the wording in the plan in relation to ribbon development however considers that the difficulty in is in the interpretation and implementation of the policy and outlined that a proposal should be determined as to whether it causes ribbon development or not rather that refusal wording including for example that a proposals 'may result in ribbon development.' ▪ At the Plenary workshop on 22nd November 2017, an Elected Member referred to a circular from the department regarding the implementation of ribbon development policy and that it be on a case-by-case basis. ▪ Concerned that policy NH-P-15 (which relates to skylines and ridgelines) applies to all developments and considers this approach as misguided. ▪ Comment arises from a refusal of planning permission due to fauna on the site. Suggests that if land is part of a family holding and there is fauna on the site sought for development, that an alternative site on the overall holding could be acceptable as an alternative planted area or as a compensatory planting on an 'other' site. 	<p>Issues of interpretation undoubtedly arise in relation to individual cases and, where there are borderline cases, care is required to ensure appropriate and reasonable interpretation. However, the following comments are relevant:</p> <ul style="list-style-type: none"> ▪ The purpose of NH-P-17 (relating to views and prospects, views between the road and the sea, lakes and rivers) is to manage the significant development pressures in some of the most scenic landscapes in the County and particularly along the coastline. The wording of NH-P-17 specifically states that, 'in operating this policy, a reasonable and balanced approach shall be implemented so as to ensure that the policy does not act as a blanket ban on developments between the road and the sea, lakes and rivers.' ▪ In relation to NH-P-15, the issues raised are generally as a result of site specific considerations where options for relocation of proposed development could be considered in order to protect the skyline or ridgeline in question. ▪ The provision of alternative planted areas is a positive approach that may be appropriate in site specific cases having regard to whether the flora on site was protected or otherwise. In the event that the flora in question was not protected, there may be scope for discussion and agreement on replanting / landscaping.
1c)	Core Strategy,	Rural economic development	a) An Elected Member stated that aquaculture has a role to play in the County but not across whole bays and	a) The Draft CDP contains policies and objectives that allow for the consideration of appropriate aquaculture developments, subject

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	Towns and Villages and Rural area		<p>coastline and therefore coastal management is important. This was further raised at the Plenary workshop on 22nd November 2017 wherein an Elected Member queried whether there should be something more firm in the Plan in relation to aquaculture or whether it is out of Council's hands.</p> <p>b) A number of Elected Members referred to Policy ED-P-3 and Policy ED-P-13 and queried whether small-scale industrial buildings or processes [1 or 2 employees] are permissible in rural areas and also suggested that the policies should be amended to clarify. In addition, at the Plenary workshop on 22nd November 2017, an Elected Member requested clarification of ED-P-3 in relation to rural enterprise.</p>	<p>to the proviso that such developments incorporate sufficient environmental safeguards to protect the amenities of the County's coastline. Allied with other specific policies in the Plan, such as NH-P-8, which specifically seeks to protect the scenic context, cultural landscape significance, recreational and environmental amenities of the coastline from inappropriate development; it is considered that the Draft CDP strikes a suitable balance between the benefits that the aquaculture industry could provide in a locality and the need to protect the coastline.</p> <p>b) ED-P-3 relates to 'industrial buildings and processes' as defined by Article 5 of the Planning & Development Regulations 2001 (as amended) as follows:</p> <p><i>'Industrial building' means a structure (not being a shop, or a structure in or adjacent to and belonging to a quarry or mine) used for the carrying on of any industrial process;</i></p> <p><i>'Industrial process' means any process which is carried on in the course of trade or business, other than agriculture, and which is-</i></p> <ol style="list-style-type: none"> a. <i>for or incidental to the making of any article or part of an article, or</i> b. <i>the altering, repairing, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article, including the getting, dressing or treating of minerals,</i> <p><i>and for the purposes of this paragraph, 'article' includes-</i></p> <ol style="list-style-type: none"> (i) <i>a vehicle, aircraft, ship or vessel, or</i> (ii) <i>a sound recording, film, broadcast, cable programme, publication and computer program or other original database'.</i> <p>Policy ED-P-3 provides that the type of development coming within 'industrial buildings and processes' as set out in the regulations is best catered for within towns as it would involve an anticipated significant scale of activity, associated processes and traffic flows. In addition, the presence of larger scale industrial buildings and processes with the County's towns serves to</p>

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				<p>strengthen towns and therefore adds to the economic viability and competitiveness of the County's urban environments. It is therefore recommended that Policy ED-P-3 should be retained, subject to the undernoted.</p> <p>In the light of Members comments however, it is considered that a clarification be inserted into the text of ED-P-3 to provide that small scale development of 'industrial buildings and processes' will be considered in rural areas where any such proposals meets the terms of Policy ED-P-13 (which relates to proposals for businesses in rural area). This clarification is set out in the recommendation below and, as it is a clarification only, is not considered to be a material alteration.</p> <p>Recommendation: To insert clarification text into Policy ED-P-3 as shown in blue lettering so that it reads as follows:</p> <p>' Within designated Settlement Framework areas, it is a policy of the Council to consider economic development proposals involving an industrial building or process (as defined in Article 5 of the Planning and Development Regulations 2001, as amended) in the following circumstances and subject to the provisions of Policy ED-P-2 and ED-P-14:</p> <p>On land zoned for such use in this Plan or future Local Area Plans; or in an existing industrial/employment area.</p> <p>Elsewhere within settlement framework areas, proposals for an industrial use or process will be considered only in Layer 1 and Layer 2 settlements, and where it can be demonstrated that: there is no available zoned land or land on an existing industrial area; that the proposal is for a firm rather than speculative proposal; the development would be compatible with the locality; and that the development would make a substantial contribution to the economy of the area.</p> <p>Development involving Industrial buildings or processes, except where the proposed development meets the terms of Policy ED-P-13, will not be permitted outside the boundary of</p>

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			<p>c) At the Plenary Workshop on 22nd November 2017, an Elected Member expressed concern that many of the County's existing businesses would not get planning permission if they were being applied for under this plan.</p> <p>d) An Elected Member suggested that there should be an insert into the Plan that the Local Authority will work with farmers to improve the environment such as in the GLAS scheme.</p> <p>e) An Elected Member stated that broadband coverage in rural areas and smaller settlements remains a serious issue.</p> <p>f) An Elected Members requested that the Plan provide greater support for small fishing piers.</p>	<p>settlements in the open countryside unless related directly to a site specific product resource and the development proposed could not be located in a settlement in line with this policy'.</p> <p>(This is not a material alteration)</p> <p>c) The Economic Development Strategy of the Draft CDP is positively positioned to appropriately accommodate economic and business proposals on a range of lands within towns and indeed within the rural area and therefore it is considered that the Draft Plan provides significant options and opportunity. In particular, it is considered that the policy of the Draft Plan in relation to rural business uses outlines broader opportunities than in the existing development plan. The Plan aims to integrate new economic development with other land uses, including residential, community, tourism and retail uses. The economic development strategy will require a proactive implementation approach and is critical to the overarching vision of the Plan.</p> <p>d) GLAS or the Green Low-Carbon Agri-Environment Scheme and other previous and future iterations of it are important programmes that work with the farming community to promote biodiversity, protect water quality, and also to help combat climate change. However, engagement in GLAS or an alternative scheme cannot form a material consideration for planning purposes either within the Development Plan or through the Development Management process. At a strategic level, the objectives of chapter 7 (The Natural and Built Heritage' support and encourage the protection, management and enhancement of the County's natural environment.</p> <p>e) The comments in relation to broadband are noted and agreed. The delivery of improvements in broadband networks is supported through the objectives and policies of section 5.3 of the Draft plan.</p> <p>f) The County's network of small piers is considered to be a valuable resource in harnessing the marine resource in the County (including for fishing and leisure). It is considered that the Plan</p>

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				adequately supports future maintenance and upgrade of marine access infrastructure as well as new infrastructure, particularly through the strategic level objective MRCM-O-1 and through specific policy MRCM-P-3 which states, 'It is a policy of the Council to facilitate the development of new and the upgrading of existing marine access infrastructure including piers, harbours, berthing facilities and slipways subject to the policies of this Plan.'
2	Town/ site specific	N/A	<p>a) A number of comments were made by Elected Members in relation to Letterkenny and Bunrana as follows:</p> <ul style="list-style-type: none"> ▪ Woodlands extension ▪ Supports the requests and justification set out in public submission 228 in relation to lands at Tullyarvan, Bunrana ▪ Concerns around residential zonings in Bunrana and whether or not these sites will ever deliver housing units in reality. As a related point, concerned that Bunrana centre is already subject to very heavy traffic flows and that any further concentration of development in the centre would not be possible due to these already existing issues and, if pursued, would only exacerbate this situation still further. Furthermore, at the Plenary workshop on 22nd November 2017, an Elected Member outlined that there are land areas in Bunrana that were not included in the summary document circulated to Members by email on the 21st November 2017 namely Cockhill Road and Glenview, Clonbeg. Considers that the current residential zonings in Bunrana will not deliver housing units in reality and therefore that there will be no development in Bunrana. <p>b) A number of comments were made by Elected Members in relation to Ballybofey- Stranorlar, Carndonagh and Clochá Liath as follows:</p> <ul style="list-style-type: none"> ▪ Refers to public submission 15 and requests that the proposals to remove an area of 'amenity' 	<p>a) The Member's comments in relation to Letterkenny and Bunrana are noted. Both towns require significant review of land use zoning and policy within the process of a statutory Local Area Plan which is scheduled to commence in the case of Letterkenny during Q1 2018 and Bunrana during Q4 2018. The LAP process will provide for a comprehensive assessment of all relevant information and ensure an evidenced based approach to land zoning. In the absence of the full evidence base, it is not recommended that site specific amendments be made.</p> <p>b) The Draft Seven Strategic Towns Local Area Plan 2018- 2024 (An Clochá Liath, Ballybofey- Stranorlar, Ballyshannon, Bridgend, Carndonagh, Donegal Town and Killybegs), is currently available for public consultation and submissions are being invited by 17th January 2018. Further amendments in relation to land use zoning</p>

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			<p>zoning on the edge of Drumboe Woods in Ballybofey-Stranorlar be considered.</p> <ul style="list-style-type: none"> ▪ Support for specific development proposal in An Clochán Liath ▪ An Elected Member outlined that it would be a preference to have a focus in the CDP on an overall plan for Barrack Hill in Carndonagh and that this would be an aim in the Plan. <p>c) A number of comments were made by Elected Members in relation to settlement framework boundaries as follows:</p> <ul style="list-style-type: none"> ▪ Support for the submission requesting inclusion of 'nursing home/residential' site within Glenties Settlement Framework boundary. ▪ Supports the request and justification set out in public submission 236 in relation to development potential of lands outside of Moville for the purposes of a nursing home. ▪ An Elected Member requested that lands in Milford (Public submission 244) be considered for inclusion within the settlement framework boundary. ▪ Lifford town centre boundary is too narrow and consider a specific land zoning around Lifford post office building. ▪ Kilmacrennan boundary is too restrictive ▪ Glenties MD discussed a number of possible amendments to settlement framework boundaries. <p>d) Members discussed a request that a right of way in Moville be added to the list of rights of way in the Plan. (Public submission 116 on page 192 of the CE report refers). This matter was further discussed at the Plenary workshop on 22nd November 2017 when the following comments were made:</p> <ul style="list-style-type: none"> ▪ An Elected Member requested that an additional right of way be inserted into the Development Plan at Moville as requested in public submission 116 	<p>in respect of the towns covered by the Draft LAP are more appropriately addressed within the LAP process. It is noted that the Draft LAP already provides for a masterplan approach in relation to Barrack Hill, Carndonagh.</p> <p>c) MD level workshops were arranged during 10th November to 14th November 2017 at the request of Elected Members and at which a number of settlement framework boundaries were identified by Members as likely to be the subject of proposed amendments to be brought forward by Elected Members to the adjourned Council meeting on 13th December 2017. As agreed, Members are requested to submit any such proposals in advance of 13th November 2017 in order to allow for the administration of the documentation.</p> <p>d) Update to be provided at Council Meeting.</p>

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			<p>and that the advice of the County Solicitor be made available in advance of the scheduled Council meeting on 27th November 2017.</p> <ul style="list-style-type: none"> ▪ Members requested section 14 of the Planning & Development Act 2000 (as amended) be circulated to the all Elected Members. ▪ Elected Members clarified the process for the identification of Rights of way in a Development Plan. <p>e) An Elected Member outlined their support for public submission 206 for the identification of lands at Culineen, Redcastle for the purposes of residential development and outlined intention to propose this amendment.</p> <p>f) Supports the request and justification set out in public submission 212 in relation to potential residential development at Drung, Redcastle.</p>	<p>e) The lands in question at Culineen, Redcastle are located within a rural area identified as an area 'Under Strong Urban Influence'. Whilst the submission refers to the principle of residential development having been established through planning application 07/71003, it is noted and clarified that planning application 07/71003 for 10 dwellings and sewage treatment plant was in fact refused due to the lack of water and waste water infrastructure. As outlined in the CE Report, the consideration of these lands for multiple residential development would be contrary to the rural housing policy of the Plan and would not be in the interests of sustainable or orderly development due to the lack of infrastructure to cater for multiple developments.</p> <p>f) The lands in question at Drung, Redcastle are located within a rural area identified as an area 'Under Strong Urban Influence'. Whilst the submission refers to planning application 07/70996, it is noted and clarified that planning application 07/70996 for extension to existing road and construction of 10 dwellings and sewage treatment plant was in fact refused by Donegal County Council and furthermore by An Bord Pleanala on appeal due to the lack of water and waste water infrastructure. As outlined in the CE Report, the consideration of these lands for multiple residential development would be contrary to the rural housing policy of the Plan and would not be in the interests of sustainable or orderly development due to the lack of infrastructure to cater for multiple developments.</p>

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			<p>g) Important infrastructural projects need to be delivered such as Logues Bridge, Ballybofey and the link road between Glenfin Road and Donegal Road, Ballybofey. At the Plenary Workshop on 22nd November 2017, an Elected Member specifically referred to the design work undertaken and completed in 2005 in relation to the link road past Mulrines in Ballybofey and outlined that there has been a significant time lapse and this work needs to be followed up.</p>	<p>g) The comments are noted and it is acknowledged that implementation is subject to the appropriate funding mechanisms being available. It is noted that the infrastructural projects referred to are continued as objectives within the Draft Seven Strategic Towns LAP 2018-2024 in relation to Ballybofey-Stranorlar.</p>
3	Infrastructure	Strategic Roads	<p>a) Elected Members made a number of comments in relation to T-P-4 (access onto national roads) as follows:</p> <ul style="list-style-type: none"> ▪ A number of Members stated that T-P-4 is too restrictive and there should be some scope for intensification such as for persons who already live on a particular road to build a new house. Considers that national policy allows for this interpretation. Request that planners provide the appropriate wording. This was reiterated by a number of Elected Members at the Plenary Workshop on 22nd November 2017. ▪ A number of Members outlined support for the request and justification set out in public submission 45 to remove the national road status for planning purposes from the Bridgend to Buncrana (R238) road and reinstatement of the exception policy in relation to people who owned land prior to 24th March 2000. This was reiterated by a number of Elected Members at the Plenary Workshop on 22nd November 2017. 	<p>a) As outlined in the CE report, Policy T-P-4 flows from and is consistent with the National Guidelines entitled 'Spatial Planning and National Roads: Guidelines for Planning Authorities' published 2012. Its purpose is two-fold as follows:</p> <ul style="list-style-type: none"> (i) To safeguard the carrying capacity of national roads and other specified roads and; (ii) To safeguard traffic safety. <p>T-P-4 is consistent with the Guidelines which also outline that the approach is to be implemented in relation to all development types and that it is to apply equally to both National Primary and National Secondary roads. Exceptional circumstances (for developments of national and regional strategic importance through a plan led approach) as provided for in T-P-4 are consistent with section 2.6 of the Guidelines and are indeed being explored at particular locations through the Local Area Plan process (Bridgend and Ballybofey- Stranorlar). The Guidelines define exceptions as involving 'lightly- trafficked sections of National Secondary routes'. Having regard to the volumes of traffic, the N56 would not be considered a 'lightly- trafficked section of National Secondary routes' when considered in the context of section 2.6 of the Guidelines and therefore, in the interests of safeguarding carrying capacity and safety the application of T-P-4 is considered to be appropriate across County Donegal's National Primary and National Secondary routes.</p> <p>Notwithstanding, a pragmatic approach is taken within Development Management through implementation of T-P-4,</p>

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			<p>b) Elected Members stated that greater recognition should be given in the Plan for 2 specific routes as follows:</p> <ul style="list-style-type: none"> ▪ R265 (Rossgier to Carrigans) should be given greater recognition of importance. ▪ Clady- Ballybofey back road- seeking upgrade to regional status. 	<p>where consideration on individual cases successfully demonstrates that a proposed development will not result in any net increase on the number of vehicles using a particular access. This pragmatic approach is proposed to be continued.</p> <p>In relation to the application of T-P-4 to the R238 from Bridgend to Buncrana, it is recommended that this policy approach be maintained for the following reasons:</p> <ul style="list-style-type: none"> ▪ It is noted that a formal request has been made through Inishowen MD in October 2016 to the Minister for Transport to pursue the reclassification of this section of road from Regional to National. An amendment of this policy to facilitate direct access for development would undermine the case for reclassification. ▪ The daily traffic volumes on this road are in excess of 10,000 AADT. At these volumes each entrance on this single carriageway road will negatively impact on the carrying capacity and the safety of the road. Traffic slowing down to turn off the main road will hold up the flow of traffic while doing so and traffic turning right off the main road are at risk of rear end collisions. At higher traffic volumes, gaps in the stream of traffic become less frequent, particularly during peak flows, resulting in traffic turning onto the main road taking chances and seeing gaps that may not be there, leading to increased risk of accidents. <p>b) The roads referred to are noted, in particular in relation to the R265 (Rossgier- Carrigans). The recommendation below provides for inclusion of this road in the text in the Plan relating to the important Regional Road network. The Clady- Ballybofey back road is noted as being of Local status. The upgrade of this road to Regional status is not within the remit of the CDP.</p> <p>Recommendation: To insert an additional (5th) bullet point at the end of page 62 (ontop the text relating to the undernoted Regional Road network) to state as follows:</p> <ul style="list-style-type: none"> ▪ The R265 from Carrigans to Rossgier. <p>(This does not constitute a material alteration).</p>

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		Flooding	<p>a) A number of Elected Members outlined concern as to why the CFRAMs information does not constitute a Strategic Flood Risk Assessment.</p> <p>b) An Elected Member suggested an objective is necessary in the Development Plan that rivers, lakes and shores are environmental treasures and that there should be a budget line through OPW to local authorities to maintain them and to use them as tourism opportunities. In addition, an Elected Member suggested that where farming land is identified for flood attenuation, the farmer should be supported.</p>	<p>a) A Stage 1 SFRA has been completed and circulated to Elected Members as part of the agenda for the adjourned Council meeting on 13th December 2017. It concludes that a Stage 2 assessment will be required in respect of 10 settlements, namely: Letterkenny, Bunrana, Bundoran, An Clochán Liath, Ballybofey-Stranorlar, Ballyshannon, Bridgend, Carndonagh, Donegal Town and Killybegs. The mechanism for delivery of the Stage 2 assessments will be via the Local Area Plan process for each relevant settlement.</p> <p>b) In terms of the protection of rivers, lakes and shores; the Draft CDP contains a suite of policies to protect and conserve the environmental attributes of the County, inclusive of rivers, lakes and shores/coastlines. The establishment of a budgetary mechanism to maintain such assets or to support landowners is not within the scope of the County Development Plan.</p>
		Public transport	<p>An Elected Member stated that an objective should be included in the Development Plan in relation to urban/rural public transport. This was further referenced by an Elected Member at the Plenary meeting on 22nd November 2017 by means of a request that objective T-O-10 be amended to allow for new rural transport initiative using words such as 'facilitate' or 'maximise' because it reads as though the initiative has to be already in place. Furthermore, an Elected Member outlined that the Plan requires an objective around linking the County's main towns together by public transport as transport hubs and links and indicated intention to propose this at the Council meeting on 27th November 2017.</p>	<p>The comments of Members are acknowledged and the suggested revisions will add value to the Plan. Therefore there are two recommendations set out below in response.</p> <p>Recommendation: To amend objective T-O-10 so that it reads as follows (new text in blue): 'To support and facilitate the development, maximising of and expansion of existing and new public transport services including the Rural Transport Initiative.' (This is not a material alteration)</p> <p>Recommendation: To insert a new policy as T-P-30 (and renumber of the remaining policies in the section), so that it reads as follows (new text in blue): 'It is the policy of the Council to support public transport hubs and connections between Letterkenny and the Layer 2A Strategic Towns together with appropriate links serving the rest of the County including the rural area.'</p>

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				(This is not a material alteration).
		Harbours	An Elected Member sought clarification that Greencastle is included in T-P-20 and T-P-22 and its further development should be included in the National Investment Plan. This was reiterated at the Plenary Workshop on 22nd November 2017 including a request that T-P-20 would ensure a focus on Greencastle in addition to Killybegs.	<p>In the light of the comments of Members it is not considered to be material or detrimental to either Killybegs or Greencastle ports to reference both location in T-P-20 and T-P-22 and this is reflected in two recommendations below:</p> <p>Recommendation: Amend Policy T-P-20 so that it reads as follows (new text in blue, text for deletion in strikethrough): It is a policy of the Council to promote and facilitate the further development and expansion of Killybegs and Greencastle Harbour Centres as a strategically important commercial and leisure ports, subject to environmental considerations.'</p> <p>Recommendation: Amend Policy T-P-20 so that it reads as follows (new text in blue): It is a policy of the Council to promote and facilitate services at Magheroarty and Burtonport and to strengthen and further develop the strategically important ports of Greencastle and Killybegs.'</p>
		Consultation	An Elected Memeber sought clarification as to the nature of consultation with TII and IW.	Ongoing communication is carried out with both TII and IW through the statutory planning process. This positive approach is to be continued.
		Cycle lanes	An Elected Memeber stated that cycle-lanes should be accommodated properly on our existing and future roads. An Elected Member elaborated on this point at the Plenary Workshop on 22 nd November 2017 and outline that it is essential that the broad policy provision is properly implemented as part of projects.	The incorporation of cycle lanes in new transportation projects is provided for through T-P-14 and T-P-30 to T-P-35 inclusive in the Plan.
		Waste water	An Elected Member sought clarification in relation to the previous Irish Water proposals to connect Mountcharles to Donegal Town WWTP and whether this is still on the Capital Investment Programme.	The most up-to date information received from Irish Water in relation to their Draft Capital Investment Plan 2017- 2021 shows that Mountcharles Waste Water Network is identified on that Plan.

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4)	Renewable energy	Wind energy	<p>a) In relation to wind energy, Elected Members made the following comments:</p> <ul style="list-style-type: none"> ▪ Decision of members being thrown back in face ▪ Clarification sought of the position being taken in the CE report ▪ Refers to public submission (ref not given) and requests that it be identified as open to consideration instead of 'area for augmentation' as there are no turbines on the lands at present. Sates that the CE report rejects the request. ▪ Refers to a public submission that requested identification as an 'area open to consideration.' Requests that the proposal is considered and notes that the all the people in the area are willing to go forward for its development. ▪ Supports the request and justification set out in public submission 162 to identify an area as open to consideration for wind energy ▪ Requests that public submissions 108, 186, 179 are revisited to be included as areas 'open to consideration' as the lands are beside other areas of 'open to consideration' and are beside Coillte lands ▪ If there are areas where no one is objecting to wind farms then perhaps those locations are acceptable. ▪ Refers to public submissions 180-186 in relation to Derrykillew and advises that no one locally objects. ▪ Concern regarding the approach to the Altnapaste site 	<ul style="list-style-type: none"> • Members concerns are noted and it was certainly not the intention to give rise to such concerns; rather the intention was to provide clarity on the Executive's position in the knowledge that there are different positions between the Executive on the one hand and the Members on the other. • To be clarified at meeting of 13th December 2017. • Noted. However, on the basis that the identification of the wind energy map zonings were prepared using a multi-layer evidence base for the entire county, and notwithstanding the comments made, it is not accepted that there is justification for the proposed amendment. • Noted. See preceding response. • Submission 162 - Noted. However, on the basis that the identification of the wind energy map zonings were prepared using a multi-layer evidence base for the entire county, and notwithstanding the comments made, it is not accepted that there is justification for the proposed amendment. • Altnapaste (Submission res 108, 186, 179) – Noted. However, a submission has been received from Members and will be discussed during the relevant part of the Council meeting. • Noted – the zoning mapping for the county was adopted using a robust evidence base which used be used as the primary determinant for land-use zoning, rather than the presence or absence of any objections to a particular form of development. • Derrykillew – refer to CE report of October 2017. • Altnapaste - See above.

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			<ul style="list-style-type: none"> ▪ Climate change agenda should not be restricted to renewable energy/ wind energy. Should all technical standards be brought into the policy as opposed to only those relating to wind energy and therefore all technical standards be the subject of SEA and AA. ▪ An Elected Member suggested lands at Glenswilly should be identified as open for consideration instead of an 'area for augmentation.' <p>b) At the Plenary Workshop on 22nd November 2017, an Elected Member read out a number of specific questions in relation to renewable energies and forwarded the wording of the questions by email as follows:</p> <ol style="list-style-type: none"> 1. Para 5 of pg 58 refers to Section 28 and related policy and objectives contained in guidelines. Can the executive clarify precisely (including specific reference) what they consider constitutes a policy and/or an objective in the Wind Energy Development Guidelines 2006? 2. Further can the executive planners provide a definition to provide a distinction between a guideline on the one hand and a policy/objective on the other? 	<ul style="list-style-type: none"> • Query re. distinction between technical standards and policy in the context of SEA and AA – see response to Members queries below. • Noted. The land-use zonings for wind energy in the Draft CDP were arrived at using a robust evidence base. Thus, whilst comments in relation to lands at Glenswilly are noted, it is not considered that any justification exists for a change in zoning at the present time. <p>The specified reference in the CE report reflects the terminology contained in the relevant Section of the Act ie. Section 28(1A)(a) wherein it is specified that a planning authority...shall '... consider the policies and objectives of the Minister contained in the Guidelines when preparing and making the draft development plan and the development plan.'</p> <p>The Wind Energy Guidelines, 2006 do not use titles to explicitly differentiate between 'policy' and objectives. Notwithstanding, the objective of the Department is clearly set out at Section 1.2: 'Policy Context' wherein it is noted that: 'The development of renewable energy sources, together with measures aimed at a reduction and more efficient use of energy, are priorities, nationally and at European level, on both environmental and energy policy grounds.' The remainder of the Guidelines document is effectively a <u>policy guidance</u> document, inclusive of development management policies, intended to secure the consistent application of the overall objective.</p> <p>In the subject context, the Planning Authority would understand the term 'Guideline' to represent Guidelines for planning authorities issued under Section 28 of the Act. The terms 'policy' and 'objective' are used in planning documents generally in line with the common</p>

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			<p>3. Clarify why executive planners have chosen a specific timeframe for consideration of aspects of the plan at pg59 para 5-6 yet at pg 63 it states 'contents must be considered afresh'. This is a clear contradiction here and an inconsistency in advice from executive planners.</p> <p>4. Para 1 pg 59 uses the word 'contravening' in relation to advice contained in circular PL20-2013. What legislative significance does this have if any? Can the executive provide the specific legislative provision underpinning its answer please?</p> <p>5. In light of the fact that 14 individual planning authorities including our own have not heeded this advice to date, why are the executive planners giving such serious weight to this advisory circular?</p>	<p>understanding of their meanings.</p> <p>It is respectfully advised that the two referenced passages of text are not contradictory but are, in fact, perfectly consistent. At both sections, the point being made is that formulation of the policies in the new Plan must be considered 'afresh' against the national policy framework and that the existing policy position in the existing Plan should not have a bearing on that process. Rather, the contents of the new Plan should be prepared having due regard to the Guidelines and Section 11 of the Act.</p> <p>The relevant key passage of text from the Circular is provided below for ease of reference:</p> <p><i>'...it is therefore advised that until both of the above national policy review processes have concluded, local authorities should defer amending their existing Development Plan policies as part of either the cyclical review or variation processes. They should instead operate their existing Development Plan policies and objectives until the completion of these processes and advised otherwise by this Department.'</i></p> <p>The use of the word 'contravening' was not intended to mean or infer any legislative significance. Rather, it was stating a fact that because the Energy section of the Draft Plan agreed for publication by Members did constitute a significant amendment to the County Development Plan 2012-2018 (ie. the adopted Plan that was in place at the time of the Circular being issued and prior to the adoption of Variation No. 2), the advice of the Department as contained in the Circular has been contravened.</p> <p>The decision of any other planning authority is a matter for each such authority. Donegal County Council must make its own decisions and, in this context, the Executive of the Council must ensure that the national legislative and policy framework is afforded due consideration in arriving at such decisions. In this regard, Section 9(6) of the Act provides that a development plan shall in so far as is</p>

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			<p>6. Recommendation 3 on pg 64 recommends inclusion of new objective E-0-7. Why would this be included under the wind energy section as section 10 (2)(n) refers to settlement and transportation strategies? I particularly draw your attention to the explanatory memorandum that accompanied the planning and development (amendment) act 2014 that introduced this provision. It very clearly refers to spatial, quantitative and design considerations related to settlement and transportation.</p>	<p>practicable be consistent with such national plans, policies or strategies as the Minister determines relate to proper planning and sustainable development. Furthermore, Section 12(11) of the Act provides that, in making the development plan, the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government. Also, Section 28 of the Act requires that planning authorities shall have regard to ministerial guidelines in the performance of their functions. The relevant ministerial guidelines in the subject context are the Wind Energy Development Guidelines,2006 (and associated Circular PI20-13); and the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change, 2017 (and associated Circular PI 5/2017). The advice to members to-date is consistent with the 2006 Guidelines. Similarly, following publication of the Interim Guidelines in 2017, the Executive recommended adherence to these National Guidelines in the Chief Executive's Report (Section 3.7.6 refers).</p> <p>Agreed. The Objective would be more appropriately-located in Part A: Chapter 2, Core Strategy. Furthermore, it would also be appropriate to re-located part of the recommended associated narrative as per the recommendation below.</p> <p>Recommendation:</p> <p>a. The recommendation at Recommendation 3 in the Chief Executive's Report (October, 2017) to insert a new Objective into the Plan remains. However, rather than insert it into Section 8.2.2 (Renewable Energy Objectives), it is now recommended that the Objective is inserted as Objective CS-O-17 at Section 2.10: 'Core Strategy Objectives'.</p> <p>b(i). The recommendation at Recommendation 4 in the Chief Executive's Report (October, 2017) to insert the narrative re: (i) .</p>

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				<p>the Government's National Renewable Energy Action Plan, 2010; and (ii.) the Government's 'Strategy for Renewable Energy, 2012-2020' at Section 8.2.1 remains;</p> <p>b(ii.) The recommendation remains to insert the narrative re (i.) the Government's White Paper on Energy Policy; and (ii.) the National Mitigation Plan into the Plan. However, rather than insert it into Section 8.2.1, it is now recommended that the narrative is inserted at Section 2.1: Introduction, Core Strategy, together with additional narrative as follows;</p> <p>(1.) Insert additional narrative at Section 2.1, para. 3 after fourth sentence:</p> <p>'This approach is consistent with the national climate change and decarbonisation agenda underpinning Section 10(2)(n) of the Act and articulated in both: (i.) the Government's White Paper on Energy Policy; and (ii.) the National Mitigation Plan. The Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DCENR) sets out a framework to guide policy and the actions that it intends to take in the energy sector up to 2030 taking into account European and International climate change objectives and agreements, as well as Irish social, economic and employment priorities.</p> <p>The National Mitigation Plan contains a series of mitigation measures and actions to address the immediate challenge to 2020 and to prepare for the EU targets that Ireland will take on for 2030. The National Mitigation Plan covers greenhouse gas emissions in the Electricity Generation, Built Environment, Transport, and Agriculture, Forest and Land Use sectors. For each sector, the Plan sets out the sectoral policy context, the greenhouse gas emissions trends for each sector, the opportunities and challenges, mitigation measures currently in place and under development, and specific actions to take forward work within each sector. Notwithstanding, ...(County Donegal is predominantly a rural...)</p>

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			<p>7. Have the executive planners been informed of an updated position subsequent to April 2014 by the DCCAE (formerly DCENR) regarding the proposed 'Renewable Energy Export Policy & Development Framework' that is referenced in Circular PL 20-2013 and endorsed by Circular PL 05 -2017?</p> <p>8. Having had access to the report entitled 'Submission in relation to amendment document 'OPTION 3 Revised' to the Working Draft County Development Plan 2018-2014' since April, have the executive any issue with the rationale contained within? If so, why have they not raised this to</p>	<p>(2.) Insert additional narrative at Section 2.7 (Transportation Strategy) after third sentence:</p> <p>'Notwithstanding the largely rural character of the County, the current inadequate public transport provision and the associated car-dependencies, the Plan nevertheless incorporates a focus on improving public transport provision (refer Section 5.1.2: Transportation Objectives; and Section 5.1.3: Transportation Policies). Together with the promotion in the Core Strategy of settlements as key drivers of the development of the County, these measures are intended to address the national climate change and decarbonisation agenda as referred to at Section 2.1 above.</p> <p>Up to November, 2017 the Executive had not been so informed. However, on foot of the Councillor's question, the Department advised on Thursday 7th December, 2017 as follows. <i>'An intention to develop a Renewable Energy Export Policy and Development Framework (with a spatial dimension) was announced by the Minister for Communications, Energy and Natural Resources in 2013. Particular emphasis was placed on the potential for future export of renewable energy to the UK, however, given the economic, policy and regulatory complexities involved, delivery by 2020 of renewable energy trading was not considered a realistic proposition. It was subsequently decided to formulate a Renewable Electricity Policy and Development Framework (REPDF) that will also contribute toward meeting Ireland's own future needs, particularly up to 2030 and beyond, as informed by European and national policy. DCCAE is currently developing the REPDF, the primary objective of which will be to maximise the sustainable use of renewable electricity resources in Ireland.'</i></p> <p>The Executive has considered the rationale contained in the Submission. Notwithstanding, it was concluded that Option 3 is a fundamental departure from national guidance.</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
			<p>date?</p> <p>9. Did the DPHLG ask for a copy of the report entitled 'Submission in relation to amendment document 'OPTION 3 Revised' to the Working Draft County Development Plan 2018-2014' during the consultation stage of the draft plan?</p> <p>10. Can the executive planners confirm that the strategy outlined in 'option 3 revised' adopted by members in April expands the potential contribution of the functional area on the draft plan to the climate change and reduction of CO2 displacement targets when compared to the provisions contained within the current plan?</p> <p>11. Can the executive planners set out the process to be followed in making a determination as to whether or not the Minister's recommendations have been complied with in the context of Section 12(5)(aa) of the planning and development acts (as amended)?</p>	<p>No.</p> <p>Whilst it is acknowledged that CO2 reduction is an important national policy and an important element of wind energy policy, there are wider national and local considerations, including residential amenities, to be assessed in order to provide balanced conclusions on the merits or otherwise of wind energy policy. The overall balanced approach is being considered under the national wind energy guidelines review. It remains the position of the Executive that the outcome of this review should be awaited and that the current Guidelines should be complied with.</p> <p>The relevant key passage of text from the Act is provided below for ease of reference:</p> <p>Following consideration of the draft plan and the report of the manager (Chief Executive's) under paragraph (a) where a planning authority, after considering a submission of, or observation or recommendation from the Minister made to the authority under this section or from a regional assembly made to the authority under section 27B, decides not to comply with any recommendation made in the draft plan and report, it shall so inform the Minister or regional assembly, as the case may be, as soon as practicable by notice in writing which notice shall contain reasons for the decision.</p> <p>The process is consistent with normal protocols to be followed in the formulation of Council policy whereby the Executive makes recommendations and the decision is a reserved function of the Members. Thus in the context of this particular provision, the</p>

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			<p>12. How do we the members of this planning authority determine the threshold of compliance?</p> <p>13. Can the executive planners provide clarification whether it is their opinion that the hypothetical replication of any element of policy by other</p>	<p>Executive's recommendation would, where necessary, include advice on the nature of the Minister's observations or recommendations, together with advice on whether or not the Minister's recommendations have been complied with; or, if not complied with, how they might be. It is a matter then for the Members whether or not to accept this advice.</p> <p>In terms of the subject issue, Sections 3.7.4 and 3.7.6 of the Chief Executive's report set out in detail the issues raised, and recommendations made by the Minister, together with advice on whether or not the (Minister's) recommendations would be complied with if this part of the Draft Plan was retained in its current form. Recommendations 1 to 4 at Section 3.7.8 reflected the aforementioned Minister's concerns and clearly suggested amendments that would bring the Plan into line with the comments of the Minister.</p> <p>It is worth re-iterating here, as advised previously, that should Members decide not to comply with any recommendation made in the Chief Executive's report, then the Authority is required to inform the Minister of any such decision. This Notice must be provided in writing and must contain reasons for the decision. Should such a scenario arise, it is anticipated that the written text of the broad thrust of the reasons for not complying would have to be agreed by Members at the Council meeting, with the Executive providing assistance if required. Thereafter, the Executive would be responsible for conveying these issues in writing to the Minister.</p> <p>As advised above, the Executive must advise on matters of content and compliance and, thereafter, it is a matter for Members to consider in the context of their obligations under Section 12(11) of the Act.</p> <p>The key element of policy context that should be of concern to the Planning Authority is at the national and regional policy levels and</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
			<p>planning authorities is a consideration that falls with the express or implied statutory obligations of a planning authority when formulating a overall strategy for the proper planning & sustainable development of its functional area as alluded to in the submission by the DHPLG?</p> <p>14. If so, can the executive planners point to the particular provisions with the planning and development acts, associated regulations, guidelines or otherwise, that provide for the same?</p> <p>15. Do the executive planners accept the assertion in the DHPLG's submission that the technical standards in the Draft have not been subject to SEA?</p> <p>16. Are the elements contained within the technical standards not properly recognised as a 'specific development control standard' as outlined at</p>	<p>the considerations referenced above in the answer to Question 5. Whilst the Department has chosen to make this observation, that is a matter for them.</p> <p>Refer to answer 13.</p> <p>The DHPLG refers only to 'an environmental assessment of the technical requirements relating to wind energy developments'. It is accepted that these aspects of the Plan have not been subject to SEA and it is for this reason that the Chief Executive's Report of October, 2017 included a Recommendation 2 (pg. 64), which Recommendation is reproduced in italics below for ease of reference.</p> <p>Recommendation 2:</p> <p><i>a) Move the contents of Section 10.6.5 currently placed in 'Development Guidelines and Technical Standards', Appendix 3, Part B from that Section to Section 8.2, Renewable Energy contained in Chapter 8: Natural Resource Development.</i></p> <p><i>b) Review the Environmental Report and Appropriate Assessment in light of both the change as recommended at 'a.' above and also the insertion of the additional Objective and text as recommended on Recommendations 3 and 4 below.</i></p> <p>(This recommendation is made regardless of the finalised contents of (the current) Section 10.6.5.)</p> <p>(This is a Material Alteration)</p> <p>The context of applying the '10 times tip height' provision has wide-ranging spatial implications beyond the scope of any particular site and has wider policy implications for land use. This is distinct</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
			<p>paragraph 4.23 on page 33 of the SEA Guidelines?</p>	<p>therefore from the specific technical standards that contribute to orderly development within the confines of a particular development.</p> <p>Recommendation</p> <p>If Members are minded to retain the 10 times tip height provision in the Plan but agree that it should be moved to the policy section of the Plan, it is recommended that Policy E-P-12 is amended to read as follows:</p> <p>E-P-12 It is the policy of the Council to:</p> <p>Consider the development of appropriate new wind energy developments within the areas identified as 'Open To Consideration' on the Wind Energy Map 8.2.1, subject to compliance with all other relevant objectives and policies contained within this Plan, and where they would not be located within:</p> <ul style="list-style-type: none"> (f) The zone of visual influence (ZVI) of the Glenveagh National Park. (g) The zone of influence/flight path at Donegal Airport. (h) Special Areas of Conservation (SACs), nor Special Protection Areas (SPAs) (i) The 6 Fresh Water Pearl Mussel (S.I. 296 of 2009) catchments contained in the Freshwater Pearl Mussel Sub-Basin Management Plans for Clady, Eske, Glaskeelin, Leannan, Owencarrow and Owenea. (j) A set back distance of ten times the tip height of proposed turbines from residential properties and other centres of human habitation ('Centre of human habitation' includes schools, hospitals, churches, residential buildings or buildings used for public assembly). <p>Consider the augmentation, upgrade and improvements of existing wind farm developments of the nature identified at (3) (a.), (b.) and (c.) below within areas identified as 'Acceptable for augmentation of/improvements to existing</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
				<p>windfarms' on the Wind Energy Map 8.2.1 on a case by case basis subject to:</p> <ul style="list-style-type: none"> (1.) compliances with other relevant objectives and policies contained within this plan and the following; (2.) the proposal not giving rise to any new detrimental impacts on: <ul style="list-style-type: none"> (i.) The zone of visual influence (ZVI) of the Glenveagh National Park; and (ii.)The zone of influence/flight path at Donegal Airport (3.) (a.) Repowering Repowering is the process of replacing older turbines with newer ones that either have a greater capacity or more efficiency which results in a net increase of power generated. Repowering may also seek to extend the overall lifespan of the development. Proposals for repowering, shall not result in a net increase in turbines, and it shall be demonstrated that there is no adverse impact on the receiving environment; or (b.) Extension In areas located outside of Natura 2000 sites, proposals for an extension to an existing wind farm (of up to 20% in terms of permitted numbers of turbines or in cases where 5 or less turbines are permitted in a wind farm, one additional turbine) will be considered. The proposal will be required to demonstrate that the additional turbines may be served by the infrastructure serving the existing development; or (c.) Reapplication In areas located outside of Natura 2000 sites, where an existing wind farm has been permitted and this permission has expired, a revised proposal will be considered within the planning unit of the previously permitted development, and where it is

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
			17. A minor amendment to E-0-6 to specifically reference S.6.5 (f) would bring this element into consistency with the rest of that plan? I believe this would not constitute a material alteration.	<p>demonstrated that there is no net increase in turbines.</p> <p>Not favourably consider wind energy proposals in those areas identified as 'Not Acceptable' on the Wind Energy Map 8.2.1.</p> <p>Not agreed. It is considered that to have a reference to the ten times tip height set-back in an Objective (Objective E-O-6) and in the Technical Standard, but not in any policy would be inconsistent, extremely difficult to implement, and therefore potentially misleading for all stakeholders. For these reasons, it is advised that the suggested addition would constitute a material alteration.</p>
		Hydro	An Elected Member stated that Hydro options should be examined.	The Plan provides for consideration of future hydro options through objective E-O-1 and policy E-P-2.
		Solar	An Elected Member stated that solar panel renewable energy options should be examined.	The Plan provides for consideration of future solar renewable energy options through objective E-O-1 and policy E-P-2.
5	Nature conservation		<p>a) An Elected Member stated that Coastal Management Plans are required for designated sites, particularly in the context of aquaculture development, between the Council and the Department and there should be an objective in the Development Plan to deliver these. An Elected Member reiterated this point at the Plenary workshop on 22nd November 2017 and indicated intention to propose this at the Council meeting on 27th November 2017.</p> <p>b) An Elected Member outlined concern around the impact of designated conservation areas on Gweedore, the Rosses and Cloghaneely and clarification sought around the process for the identification of designated conservation site (Is it planning or Europe).</p>	<p>a) The preparation of management plans for designated sites is within the remit of NPWS while the Plan provides a range of strategies to address coastal management through Chapter 10 (The Marine Resource and Coastal Management) and also through chapter 7 in relation to scenic amenity and natural environmental considerations.</p> <p>b) Natura 2000 is a European network of important ecological sites, the designation of which is within the responsibility of National Parks and Wildlife Service as part of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Designation of conservation sites is not therefore within the remit of the Plan. The EU Habitats Directive placed an obligation on Member States of the EU to establish the Natura 2000 network. The network is</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
				made up of Special Protection Areas (SPAs), established under the EU Birds Directive, and SACs, established under the Habitats Directive itself.
6)	SEA/AA		An Elected Member sought clarification in relation to prescribed body submission 16 (Causeway Coast and Glens) as to whether there is anything relevant in the documents highlighted in the submission namely the UK Marine Policy Statement and the NI marine Plan (once published).	The UK Marine Policy Statement and the Public Participation Statement for the Northern Ireland Marine Plan both note that co-ordination will be needed between countries with adjoining sea territories, including the Republic of Ireland. In the first instance this will be addressed via the preparation of a Marine Spatial Plan for Ireland, which will be rolled out by the Department of the Environment, Community and Local Government and which must be in place by March 2021.
7)	Tourism		<p>a) An Elected Member suggested that vacant houses in the rural areas have the potential to be let out for tourist accommodation and this should be encouraged by the Plan especially along the WAW.</p> <p>b) An Elected Member outlined concern around the lack of comments of DoHPLG in relation to built heritage and outlined the tourism potential of historic buildings, the need to protect them and the need to secure investment in them.</p> <p>c) An Elected Members queried as to whether there is enough protection of old railway lines and greenways in the plan.</p> <p>d) An Elected Member stated that the Plan should support the development of campervan park particularly along the Wild Atlantic Way.</p>	<p>a) The Plan provides a strong support for tourist related proposals associated with the WAW.</p> <p>b) The absence of commentary by DOHPLG in relation to built heritage is an indication that policy gaps or inconsistencies have not been identified in this area. To this end, it is considered that the Draft CDP contains a suite of policies and objectives that afford protection to historic buildings (Section 7.2 of the Plan). The potential economic benefits of the historic environment, including the promotion of heritage tourism, are also provided for (e.g. Policy BH-O-4, pg. 119).</p> <p>c) Policy T-P-24 of the Draft CDP provides explicit protection for old railway lines in the County and Policy TOU-P-9 states, inter alia, that it is a policy of the Council to 'Protect the routes of, not permit development which would hinder the creation of, and otherwise positively facilitate the development of, future Greenways'. In addition, Objective TOU-O-9 seeks to '..support the development of new, and protect the functionality of existing, Greenways, walking and cycling routes'.</p> <p>d) The Plan makes provision for campervan facilities through TOU-P-11.</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
			<p>e) An Elected Member queried the specific reference to Falcarragh- Bunbeg greenway and whether there would be merit in leaving the policy broad. An Elected Member advised at the Plenary Workshop on 22nd November 2017 that the Falcarragh –Bunbeg Greenway project and naming of it is in order to assist in leverage funding.</p> <p>f) The Plan should provide protection for the Inishowen 100</p>	<p>e) The Plan ensures the general protection, safeguarding and support for future greenways proposals throughout the County through TOU-O-9 and TOU-P-9.</p> <p>f) The Inishowen 100 largely forms part of the WAW similar to other 'drives' in the County such as the Atlantic Drive. The WAW provides a strategic and international platform for the promotion and marketing of the route including the section that largely mirrors the Inishowen 100 and therefore the Plan focuses on the current WAW strategy.</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
8)	Miscellaneous		<p>a) Identification of road lines in the CDP- can they be changed in the LAP? (particular ref to Letterkenny)</p> <p>b) Concern around DCC-owned sites being zoned for residential use and equity in relation to other similar requests from the private sector</p> <p>c) Trees and hedgerows can result in a fire risk as exemplified through recent fire in Dungloe therefore care must be taken in relation to the level of planting undertaken around in particular social housing, hospitals, nursing homes. Request that the plan address this issue.</p> <p>d) Rights of way must be protected.</p> <p>e) Question: Are lands zoned in currently Letterkenny Dev Plan guaranteed to remain so zoned in the forthcoming Local Area plan?</p> <p>f) Most confusing plan/ responses in CE report are poor.</p>	<p>a) Road lines identified in the CDP (specifically those roads that would be designed, constructed and maintained by the Local Authority) could be changed during the LAP process. However, any changes to the route of strategic national roads infrastructure would be the responsibility of Transport Infrastructure Ireland and would be outside the scope of the LAP.</p> <p>b) Agreed. To avoid any such concerns, it is proposed to amend the zoning of the Council-owned site at Kilttoy, Letterkenny on Map 12.1 B from 'Primarily Residential' to 'Strategic Residential Reserve'.</p> <p>Recommendation</p> <p>Amend the zoning of the Council-owned site at Kilttoy, Letterkenny on Map 12.1 B from 'Primarily Residential' to 'Strategic Residential Reserve'.</p> <p>This is a material alteration.</p> <p>c) The CDP is a strategic document that provides an overarching policy framework for the proper planning and sustainable development of the County. Specifics regarding landscaping proposals are considered to be an implementation issue that would be more appropriately addressed at a detailed level, as part of the assessment of development proposals.</p> <p>d) Agreed – the Planning and Development Act 2000 (as amended) provides the mechanism for the protection of rights-of-way where appropriate.</p> <p>e) No – the forthcoming Local Area Plan process may provide for zoning changes following a thorough survey and analysis of land-use needs and constraints within the Plan area.</p> <p>f) The Members comments have been noted - the Executive has, and will continue to make, every effort to ensure that matters covered by the CDP in addition to issues raised by Members are</p>

Ref	Theme	Sub- header	Issues raised by Elected Members	Executive response
			<p>g) Planner working on the Letterkenny Local area plan should be based in Letterkenny.</p> <p>h) Should the Plan include the Quarries Register? This was also referred to at the Plenary Workshop on 22nd November 2017 wherein an Elected Member noted the suggestion of the inclusion of a link in the Plan to the register of quarries; suggested this information would be helpful in the context of the MICA issues.</p> <p>i) At the Plenary Workshop on 22nd November 2017, an Elected Member referred to two developments in Dundoan, Downings for mobile homes and referred to enforcement proceedings and sought clarification on the position.</p>	<p>dealt with in as clear a fashion as possible.</p> <p>g) These comments are noted. However, this is an operational matter that is outside the scope of the CDP.</p> <p>h) Noted – a link to the Register of Quarries will be provided in the CDP.</p> <p>i.) Noted – this matter is outside the scope of the CDP.</p>

Appendix B

New Chapter of Draft CDP 2018-2024 – Chapter 4, The Border Dimension

Chapter 4 The Border Dimension

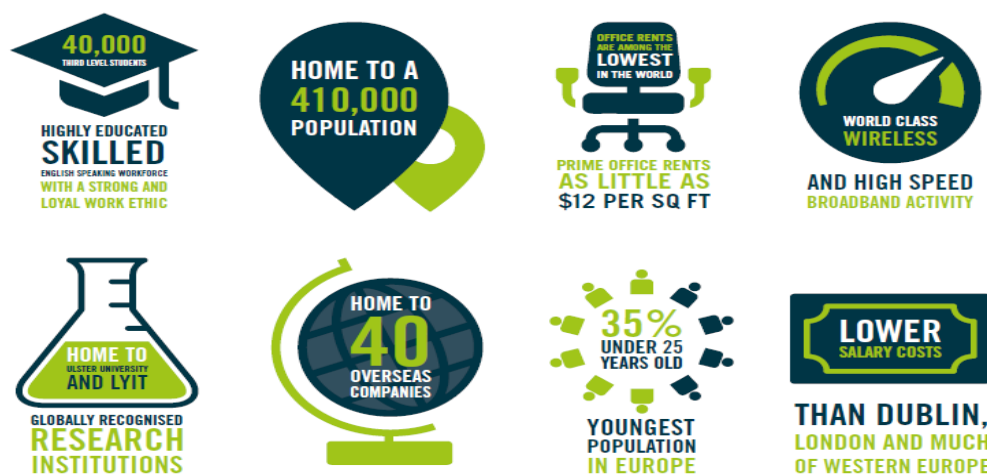
4.1 Introduction

As outlined in Chapter 1 (Introduction), the border dimension in relation to County Donegal has impacted on and shaped day-to-day social and economic activities as well as higher level strategic policy formulation, implementation and investment. This plan considers the entire extent of the County as coming within the impacts of the border dimension. The County shares 181km of border with Northern Ireland (adjoining the Councils of Derry City and Strabane and; Fermanagh and Omagh) and a further 11km of border with County Leitrim as well as 65 road crossings which include a number of important strategic transport connections. As the principal statutory land use plan for the County, this plan embraces the border dimension and advocates a regional approach to the development of the North West. It supports a partnership approach with cross border partners in Counties Leitrim and Sligo through the forum of the Northern and Western Regional Assembly and also with the District Councils of Derry City and Strabane and Fermanagh and Omagh through the forum of the North West Strategic Growth Partnership and the North West City Region Initiative.

While there is uncertainty around the potential impacts, challenges and opportunities arising from Brexit, this Plan aims to provide a robust spatial land use planning framework that demonstrates a readiness to appropriately adapt where necessary and to take up opportunities where they present. As outlined in chapter 1, significant consultation and research is being undertaken locally in relation to the potential challenges of Brexit and this is helping to provide an understanding of the macro and micro dynamics of living, working and investing in this border region. This chapter aims to capture some of this information and to restate a number of policy approaches in this Plan that are being provided for within County Donegal.

As a border region that includes County Donegal, the North West is a unique place. It has a significant critical mass of around 410,000 people. It has a young, innovative and skilled population which is supported by quality educational infrastructure and research institutions. It is an entrepreneurial region with vibrancy in SME's and it is attracting the investment of international companies who are tapping into the exceptional quality of life that is on offer.

Figure 4.1: Ireland Northwest- The Facts



Source: 'Gateway to Growth' brochure, Derry City and Strabane District Council and Donegal County Council, December 2016.

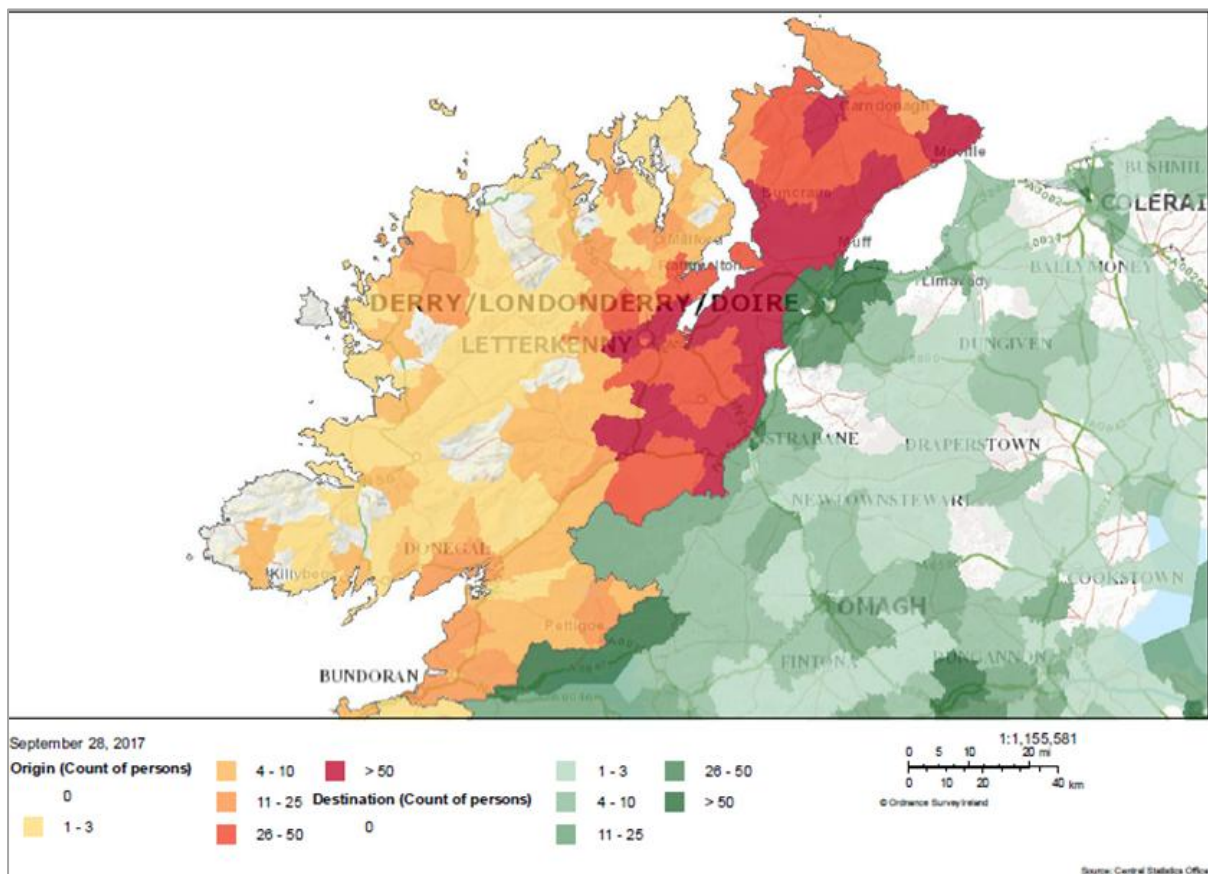
The dynamics of living, working and investing in this border region are cross cutting over a range of themes. The role of the Development Plan is to provide expression and an appropriate planning framework for the land use and planning elements. As the cross cutting areas are diverse as well as impacting the entirety of the geographical area of the County, the responding narrative, objectives and policy are threaded throughout this Plan and therefore integrated into the sectoral chapters of the Plan. For information purposes, section 4.3 restates narrative, objectives and policies that directly relate to the border dimension. It is noted though that this is not an exhaustive list as there may be other more general references that will also have relevance in the border context.

4.2 The characteristics of the border dimension

4.2.1 Cross Border Commuting

The movement, interactions and activities of the population across and within both sides of the border are quantifiable and provide a clear indicator of the extent to which the population of the North West function on a cross border basis. There are many reasons for the movement and interaction of people, business and goods across the border including access to health, education, entertainment, leisure, social and community facilities, retail activity, access to economic markets and access to international transport hubs as examples. Figure 4.2 illustrates a cross border commuter map for the purposes of work or study. It shows the areas in County Donegal in dark red where there are higher concentrations of persons originating in Donegal and travelling across the land boundary for work and study. This is particularly evident in the east of the County in the Inishowen, Letterkenny and Stranorlar MD's thus demonstrating the intensity of cross border interactions in the areas closest to the border. Furthermore, the area around Derry denotes the destination of large numbers of persons whose journey originates in the ROI.

Figure 4.2: Cross Border Commuters for Work and Study, 2016 (Source: CSO)



4.2.2 Roads Infrastructure

Figure 4.2 (albeit relating to only two of the myriad of reasons for cross-border travels) demonstrates the significant flows of traffic forward and back on the 58 road crossings points that link County Donegal with Northern Ireland. These roads range in status from County, Regional and National roads and their ongoing maintenance and upgrade as necessary requires a coordinated approach in terms of design, prioritisation and funding mechanisms. The network of cross border roads provides the backbone through which day-to-day journeys are carried out and also provides for the critical strategic access to and from the region and to international transport hubs and onwards to global markets. Critical cross border projects include the TEN-T network, the A5 and the A6.

Specific road crossing points are identifiable where the intensity of cross border activity is even more evidenced. The Northern Ireland Department of Regional Development's telemetric data counts on traffic movements per week and per day shows the intensity of cross border activities at three key routes namely at Derry/Bridgend, Derry/Muff and Strabane/Lifford¹ (Table 4.1 refers). This evidences the high levels of cross border interactions that are occurring across the region in many areas of social and economic life.

Table 4.1: Total Traffic Movement per week and day per route- DRD 2015 Telemetric Data

Route	Traffic Movement (per week)	Traffic Movement (per work day)
Derry- Bridgend	134,863	19,266
Derry- Muff	71,145	10,164
Strabane- Lifford	120,569	17,224
Total no. of journeys	326,577	46,654

Total Traffic Movement per week and day per route- DRD 2015 Telemetric Data

(Source: 'Initial Analysis of the Challenges and Opportunities of Brexit for the Derry City & Strabane and Donegal County Council Area- The North West City Region,' DCC & DCSDC, February 2017).

4.2.3 Trade

Cross-border trade at a local level is an important element of the local economy and reflects a level of economic integration in the North West particularly at locations closer to the border. The DCC and DCSDC Report, 'Initial Analysis of the Challenges and Opportunities of Brexit' outlines that the Inter TradeIreland Business Monitor records that 34% of firms in the DC&SDC area and 38% of Donegal's are engaged in cross-border trade compared to 25% on the island as a whole. This affirms the interconnectedness on both sides of the border in the context of trade. In the context of Brexit, the 'Initial Analysis of the Challenges and Opportunities of Brexit' report identifies that the Agri-food sector is a key sector on both sides of the border and is one of the most dominant sectors in cross-

¹ Source: 'Initial Analysis of the Challenges and Opportunities of Brexit for the Derry City & Strabane and Donegal County Council Area - The North West City Region,' published by Donegal County Council and Derry City & Strabane District Council, February 2017.

border trade, together with chemicals and building materials, all of which were among the sectors which the Irish Government found were at highest risk from Brexit in their analysis.

4.2.4 Retail

The retail sector in County Donegal accounts for in the region of 16% employment. In the border context, the sector is vulnerable to fluctuations in Euro-Sterling exchange rate with significant levels of South-to-North cross-border shopping flows at present. This Plan advocates the primacy of town centres in County Donegal as the core areas for retail and other mixed use development and advocates for their strengthening. It also recognises that the physical environment is critical in improving the visitor experience with particular focus on the County's heritage assets as providing opportunities to create positive, attractive and high quality urban spaces.

4.2.5 Foreign Direct Investment- Locational considerations

The 'Initial Analysis of the Challenges and Opportunities of Brexit' report notes the importance of access to the Single Market in locational choices for investors and identifies the resultant opportunity for County Donegal as an attractive alternative to the UK. Border locations including strategic towns such as Ballyshannon, Donegal Town, Ballybofey-Stranorlar, Lifford, Bridgend and Bunrana are strategically located to take advantage of such opportunities and to this end the appropriate supply of strategic economic development lands have been identified through this Plan or through the relevant Local Area Plan.

4.2.6 Community

Having regard to the evidence in relation to cross border movements, communities are interacting on both an economic level and on a community level and through this, communities are 'identifying' with both sides of the border. This occurs because the needs of individuals, such as employment, sport and recreation, leisure and shopping as examples, are generally being satisfied by a combination of suppliers on both sides of the border. In this context, there is a clear role for a place based strategy, jurisdictional cooperation and joined up planning.

4.2.7 Education

Significant collaboration occurs in relation to skills and training on a cross border basis. The University of Ulster at Magee, the Letterkenny Institute of Technology and the North West Regional College provide high quality learning environments. Significant progress has been made through facilities such as the Regional Science Park complexes in Derry (North West Regional Science Park) and in Letterkenny (Co-Lab). Further collaboration is essential in order to remain competitive, adopt a joined up approach to attracting students to each campus and to develop prospective and aligned approaches to service the needs of existing and emerging industries. The collaborative and cross border approach strengthens the skills capacity in the region, offers greater opportunity for learning and, is attractive to inward investment in terms of the supply of a skilled population.

4.2.8 Health

Advancement in sustainability and equality of health provision is being achieved in the North West through a shared cross- border population catchment. It is an approach to counter peripherality and is central in terms of improving quality of life and improving services to the citizen. It provides for joint development/ investment in shared services with the potential for the provision of speciality care and supporting better health outcomes for citizens. Health care provision occurs in the North West through Letterkenny University Hospital, Altnagelvin Area Hospital and the South West Acute Hospital in Enniskillen and through the establishment of the Donegal Clinical and Research Academy which aims to progress innovation and collaboration in education, research and service.

4.2.9 Tourism

County Donegal evidences a successful and strengthening tourism sector accounting for three times as many visitors as DC&SDC. Substantial work to develop visitor attractions, visitor experience and accommodation is continuing including full engagement in the promotional and marketing strategy of

the WAW. The improvement of connectivity, including cross-border greenways is important in supporting visitor access to the region.

4.2.10 EU Funding

The strong collaborative cross-border partnerships in the North West have leveraged essential EU funding between DCC and DC&SDC, and other stakeholders including businesses and the community sector. This approach has provided for the achievement of mutually beneficial projects of economic and community importance through the Peace and INTERREG programmes. In particular, it has provided support for the diverse community and cultural sectors in the region which is an important component in place-making and place-based leadership strategies.

4.2.11 Currency

As an external factor, beyond the remit of land use planning, currency fluctuations in the Euro-Sterling exchange rate have always been a factor in determining economic activities along the length of the County's border with Northern Ireland. This is particularly evident in relation to SME's and shopping activity. Dependant on the direction of benefit from the exchange rate, the physical impacts are evident through fluctuations in development pressures including intermittent vacancy and dereliction at border locations and the associated land, infrastructure and environmental requirements.

4.3 Restatement of narrative, objectives and policies of direct relevance to the border dimension

As outlined in section 4.1, the dynamics of living, working and investing in this border region are cross cutting over a range of themes and therefore the narrative, objectives and policy with direct relevance to the border dimension are threaded through the sectoral chapters of the Plan. For information purposes, the following pages restate narrative, objectives and policies that directly relate to the border dimension. It is noted though that this is not an exhaustive list as there may be other more general references that will also have relevance in the border context.

Chapter, section	Summary of border related extract
Chapter 1: Introduction & vision; section 1.1	Describing the relationship of the County with its border authorities
Chapter 1: Introduction & vision; section 1.2 (The National Planning Framework)	Cross border theme in the context of the National Planning Framework to undertake a place based approach to accelerate sustainable growth.
Chapter 1: Introduction & vision; section 1.4 (Border Dimension)	Identifies the border dimension as having impacted on day-to-day activities of the border population and on local and strategic level policy approaches.
Chapter 1: Introduction & vision; section 1.5 (Current Economic Climate)	The collaborative local level response to Brexit and associated greater imperative to ensure key, regionally significant growth priorities are realised such as the A5 and A6.

Chapter, section	Summary of border related extract
Chapter 2: Core Strategy; section 2.1 (Introduction)	Refers to the unique nature of the border area and its associated population change and underlines the spatial inter-dependencies between north and south which are more relevant in the context of Brexit.
Chapter 2: Core Strategy; section 2.3.3 (Strategic Towns)	Refers to the identification of Strategic Towns and importance of strengthen these towns.
Chapter 2: Core Strategy; Figure 2.3 (The Settlement Structure)	Map indentifies the spatial distribution of Strategic towns in the settlement structure and border locations can be identified.
Chapter 2: Core Strategy; section 2.7 (Transportation Strategy)	Refers to transportation requirements and priorities including key routes in the border context such as A5, A6, TEN-T Network and the N14 Letterkenny to Lifford route.
Chapter 2: Core Strategy; section 2.10 (Core Strategy Objectives); page 21	<p>CS-O-2:</p> <p>To assert County Donegal as having a key role in the context of the North West City Region and within the area of the Northern & Western Regional Assembly.</p> <p>CS-O-9:</p> <p>To coordinate and promote the delivery of key roads and access infrastructure (including the A5 Western Transport Corridor and A6 road projects, the Ten- T Network, Letterkenny Relief Road and the N14 Letterkenny/ Lifford road) with the other relevant authorities including partners in the North West Strategic Growth Partnership and within the Northern & Western Regional Assembly so as to result in effective strategic connections to and throughout the County.</p> <p>CS-O-10:</p> <p>To prioritise investment in key strategic connections between Letterkenny and the Strategic Towns together with links to transport corridors serving the rest of the County.</p>

Chapter, section	Summary of border related extract
	<p>CS-O-11:</p> <p>To support economic growth throughout the county through:</p> <p>(f) The identification and harnessing of opportunities arising from the impact of Brexit for new economic investment particularly within the border region.</p> <p>CS-O-15:</p> <p>To prepare Local Area Plans in respect of Letterkenny and the Strategic Towns identified in Layer 2A, together with Settlement Framework Plans for the towns in Layer 2.</p>
Chapter 3: Towns and Villages; section 3.2	<p>Outlines the 6 common themes of existing or potential special economic functions that cut across the ‘Strategic Towns’ including:</p> <ol style="list-style-type: none"> 1. Tourism and the Wild Atlantic Way; 2. Built and archaeological heritage; 3. The Irish language; 4. Sport and recreation; 5. Cross border location and; 6. The marine.
Chapter 3: Towns and Villages; Table 3.2	<p>Outlines the initial reasons for identification of ‘Strategic Towns’, Performing ‘Special Economic Functions.’ Border location identified as a theme in relation to Ballybofey- Stranorlar, Lifford and Bridgend.</p>
Chapter 3: Towns and Villages; section 3.4 (Objectives) TV-O-1	<p>TV-O-1:</p> <p>To support initiatives for renewal and regeneration of County Donegal’s towns and villages with a particular focus on ‘Strategic Towns’ identified as Layer 2 in the settlement structure.</p>
Chapter 3: Towns and Villages; section 3.5 (Policies); TV-P-1	<p>TV-P-1</p> <p>It is the policy of the Council to encourage proposals aimed at harnessing particular ‘Special Economic Functions’ of the County’s ‘Strategic Towns’ subject to other policies of this Plan including Part C and subject to the proper planning and sustainable development of the area.</p>

Chapter, section	Summary of border related extract
Chapter 5: Economic Development; section 5.1.1; Regional Context	Refers to potential challenges and opportunities arising from Brexit.
Chapter 5: Economic Development; section 5.1.2; (objectives)	<p>ED-O-1</p> <p>To facilitate cross-border collaboration and to enable and sustain regional economic, cultural and social development opportunities.</p> <p>ED-O-2:</p> <p>Ensure that sufficient land is provided at appropriate locations for employment generating uses and that such land will be protected from inappropriate development that would prejudice its long-term development.</p> <p>ED-O-3:</p> <p>To facilitate and direct appropriate employment generating developments into the Gateway centre of Letterkenny and the Strategic Support Towns, and to support the economic development of smaller towns and villages throughout the county.</p> <p>ED-O-5:</p> <p>To promote appropriate rural economic development by encouraging diversification that supports the growth of emerging rural enterprises functionally related to the countryside.</p> <p>ED-O-11:</p> <p>To support the border region for economic development and enterprise by maximising on the potential and opportunities arising from Brexit.</p>
Chapter 5: Economic Development; section 5.1.4; (policies)	<p>ED-P-15:</p> <p>It is a policy of the Council to facilitate appropriate economic development within the border region where the infrastructure is available or has the capacity.</p>
Chapter 6: Infrastructure; section 6.1.1; (background)	Refers to connectivity in the border region and the importance of the regional road network in providing access to all areas of the county.
Chapter 6: Infrastructure; section 6.1.1; (background); Strategic Roads Context	<p>Refers to the importance of the TEN-T Network in relation to:</p> <ul style="list-style-type: none"> ▪ the N15 road from Bundoran and on to Donegal Town and to Ballybofey/Stranorlar;

Chapter, section	Summary of border related extract
	<ul style="list-style-type: none"> ▪ the N13 Ballybofey/Stranorlar to Letterkenny to Bridgend road (and Derry via the A6); and ▪ the N14 Letterkenny to Lifford road (and Strabane via the A5) <p>In relation to the N15 Ballybofey/ Stranorlar to Lifford Road, states the following:</p> <ul style="list-style-type: none"> ▪ The N15 Ballybofey/Stranorlar to Lifford road, whilst not on the TEN-T network, provides another vital element of the strategic road network in the east of the county. <p>Also refers to the importance of these routes as providing critical connectivity both:</p> <ul style="list-style-type: none"> ▪ to Dublin and the south-east (via the N14 and A5 roads); and to the broader North-West City Region area (with Derry via the N13/A6 route; and with Strabane via the N14/A5 route); and ▪ along much of the length of the County and to the south and the broader North-Western Regional Assembly area, and Atlantic Corridor area (via the N15 and N13 roads)
Chapter 6: Infrastructure; section 6.1.2; (Objectives)	<p>T-O-1: To deliver the Trans European Transport Network (TEN-T), (as required by EU Regulation (EU) No.315/2013 "Guidelines for the development of the <i>Trans European Transport Network</i> (Ten-T)") as part of the core and comprehensive transport network of Ireland.</p> <p>T-O-2: To achieve quality strategic and important inter-urban transport corridors giving access to regional and international markets with links to sea, air and rail.</p> <p>T-O-3: To provide for high quality connectivity within the County in line with the Core Strategy through the promotion of a quality Strategic Road Network as identified on Map 6.1.2.</p> <p>T-O-4: To deliver optimum accessibility, ease of movement and to facilitate appropriate proposals for modal shift.</p>
Chapter 6: Infrastructure; section 5.1.3; (Policies)	<p>T-P-19: It is a policy of the Council to support and promote City of Derry airport as an important strategic cross border infrastructure asset for east Donegal.</p>
Chapter 9: Natural Resource Development; section 9.2.2; (objectives)	<p>E-O-2: To facilitate the strengthening of the electricity grid to enable the harnessing and distribution of energy. The Council will support transboundary and trans-national interconnectors to enable the exporting of energy outside of the County.</p>

Chapter, section	Summary of border related extract
Chapter 9: Natural Resource Development; section 9.2.3; (policies)	<p>E-P-1: It is policy of the Council to facilitate the development of grid reinforcements including grid connections and transboundary energy network (Electricity and gas) into and through the County and between all adjacent counties and to support the development of cross border grid connections, subject to other objectives and policies of this Plan.</p>
Chapter 10: Tourism; section 10.1.2; (objectives)	<p>TOU-O-8: To support the development of and protect the functionality of key tourism access infrastructure into and throughout the county such as roads infrastructure (including the A5 Dublin to Derry Road, the Atlantic Corridor and the N56), Air Infrastructure (including Donegal Airport, City of Derry Airport, and Knock/Ireland West Airport) and Sea access (including port infrastructure at Killybegs and ferry infrastructure throughout the County).</p> <p>TOU-O-15: To collaborate with relevant tourism bodies and local authorities in Northern Ireland to unlock the full tourism potential of the North West cross border region.</p>
Chapter 10: Tourism; section 10.1.3; (policies)	<p>TOU-P-8: It is a policy of the Council to; facilitate the development of, to protect and enhance the functionality of, and improve access to, both Donegal Airport and City of Derry Airport.</p>
Chapter 12: Community, Culture and the Gaeltacht; section 12.2 (policies)	<p>CCG-P-7: It is a policy of the Council to facilitate the appropriate expansion of education and research facilities by third level institutions especially in regard to innovations in biotechnology, renewable energy and cross border linkages with the third level providers in Northern Ireland subject to the availability of necessary infrastructure, any environmental designations and the proper planning and sustainable development of the area.</p>