



The Central Planning Unit
Donegal County Council
County House
Lifford
County Donegal

Via Portal: consult.donegal.ie

05/04/2024

RE: MATERIAL ALTERATIONS TO THE DRAFT DONEGAL COUNTY DEVELOPMENT PLAN 2024 – 2030

A Chara,

I refer to your notification on 8 March 2024 of Donegal County Council's proposal to make material alterations to the Draft Donegal County Development Plan 2024-2030 and thank you for the opportunity to make this submission.

The Assembly notes that there are 185 separate alterations to the Plan, that are set out in individual documents reflective of the Draft Plan, as follows:

- (i) **Part A:** The Written statement, with Chapters 1-16. Chapters 1 to 16 inclusive of the Draft Plan): (refer also to Map 9.1: 'Wind Energy' Material Alterations; and Map 11.1: 'Scenic Amenity' Material Alterations).
- (ii) **Part B** (Proposed Material Alterations in respect of Part B, Area Plans for Bunrana, Ballybofey/Stranorlar and Bundoran and
- (iii) **Part C** (Proposed Material Alterations in respect of Chapter 21: 'Settlement Frameworks' of the Draft Plan).

This submission will concentrate on alterations that have regional significance and comment on their consistency or otherwise with the Regional Spatial and Economic Strategy (RSES). Many of the Alterations are relatively minor, involving additional narrative and references that are generally supported by the Assembly, and they do not need to be examined individually.

Background

The Assembly has engaged with Donegal County Council at all stages of the process and initially made a submission at the Issues Papers Stage. On 12 October 2023, the Assembly made a further submission on the draft plan, making 6 Recommendations and 22 Observations on the Draft. This submission, along with other submissions received by the Council (Total Number 281), were considered at a meeting of Donegal County Council in January 2024 and resolutions were passed to make proposed material alterations to the Draft.

The Chief Executive's Report was available online following the Council meetings. The report included a written response and analysis of the Assembly's submission.

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Outline of Submission

The following section sets out the ‘Recommendations’ and ‘Observations’ previously made by the Assembly and provide a commentary on the outcome of the consideration of Donegal County Council. Where a Material Alteration (MA) has arisen, it will identify this fact and confirm if it is considered that the proposed Material Alteration is consistent with the RSES. Thereafter, an account shall be given of other proposed Material Alterations of regional significance and whether they are consistent with the RSES.

Core Strategy: Whilst the Assembly did not (directly) in its previous submission on the Draft Plan raise any issue with the proportioning of the overall housing and population allocation across the hierarchy of Towns, Villages and Countryside, other submissions did raise concern in this respect, including the Office of the Planning Regulator (OPR). The Council has responded by revising the overall quantum of population growth allocated to these settlements (albeit this is modest, with the increase at 3% overall), with the end result being an increase in the overall Core Strategy apportionment for Letterkenny, Ballybofey / Stranorlar and Buncrana.

Donegal County Council response to NWRA submission: The Council’s response to the extensive number of issues raised initially following the Publication of the Plan has been sparing. A very significant number of policy matters across a range of areas have been addressed, however, it is arguable if these matters have been addressed in a holistic manner, with comprehensive policy instruments to ensure their delivery: These include:

- A failure to address the exemption to N56, National Secondary Road access.
- An approach to Urban Generated Rural Housing, which does not fully reflect the objectives of the RSES.
- The capacity to systematically monitor and review the Plan through clearly outlined mechanisms.
- The County’s contingency planning on MICA related matters, including the need for the possible accommodation of temporarily displaced householders.
- The reflection of a coherent Rail ambition (with priorities) for the County.
- The policy outline for Greenways / Cycleways and the possible timelines associated with projects across the County.
- A clear economic strategy for Buncrana as the County’s second largest town to boost its resident population / workers ratio.
- A clear direction of strategy (or a commitment to consider same) for the future role of Greencastle and Killybegs as ports and Regional Significance – presenting assets for a range of activities including future diversification.
- The quantum of housing which can potentially be delivered across the smaller Towns and Villages in the County.
- Any embryonic initiative in respect of Serviced Sites being rolled out in Donegal.
- The advancement of modal shift, including the timely delivery of a park and ride initiative, and associated works within the commuter zone and surrounding settlements of Letterkenny.

RECOMMENDATIONS MADE BY THE NWRA TO THE DRAFT DONEGAL DEVELOPMENT PLAN

1. *The Plan be amended to exclude the N-56 access exemption contained within Policy TP-12 b & c. The Policy as presented is without an evidence base, and is contrary to Regional Policy, RPO 6.5, as well as National Roads Policy set out by Transport Infrastructure Ireland (TII).*

Outcome: MA 8.1.1 incorporates a revised wording on some elements of National Roads Policy. However, critically, the Material Amendment does not contain an omission or removal of the N56 access exemption contained within policy TP-12 b & c. The subject is addressed at some length in the Chief Executives Report, which refers to a separate process between Donegal County Council and Tii as a more appropriate mechanism for dealing with National Road access, and derogations to same which may or may not be appropriate. Any derogation needs to be part of the plan making process and the Assembly is concerned the retention of Policy TP 12 does not accord with Regional Policy including RPO 6.5, and does not align with the Transport goals of the RSES.

2. *The Plan and its Core Strategy / Housing Strategy be amended to account for the current and future wide-ranging implications of the Defective Block / Mica Crises in County Donegal, including the potential reconstruction of 5.800 houses. The revision should reflect upon the need for temporary / modular accommodation and the impact the crises will have upon the construction sector in terms of short & medium-term overall housing output, including the effects this may have on the targets for urban centres set out with Sec. 3.4 of the RSES.*

Outcome: The Insertion of text as a new section 6.1.20 in Chapter 6 is to be a non-material alteration. The amendment does not address the fundamental point highlighted by the Assembly (i.e. A risk of a lack of future proofing the need to temporarily house defective block home-owners). However, the Assembly fully accept the matter is primarily for the Local Authority in the roll-out and management of the current and any future iterations of the Defective Block Scheme.

3. *The Rural Housing Policy within Chapter 6 be amended to modify the areas designated as 'Under Strong Urban Influence' to reflect the updated data on commuting patterns, contained within Census 2022, and the patterns contained within the small areas as they relate to Letterkenny, Buncrana, Lifford, Donegal Town, Ballyshannon and Bundoran. The implication of cross-border commuting from Derry City & Strabane District Council area should also be considered.*

Outcome: Insertion of text to Policy RH-P-1 & 2 as a non-material alteration. The substantive issue previously raised by the Assembly has not been addressed via this outcome. It is questionable whether the Donegal Rural Housing Policy as currently drafted complies with Departmental Guidelines on Sustainable Rural Housing. The RSES in dealing with Regional Growth Centres, (and the Galway MASP) seeks to manage urban generated housing, through various objectives which relate to defining the fringes of major regional settlements which are under pressure from urban sprawl – the RSES seeks the implementation (and effective control) of these areas via various Rural Housing measures in Development Plan Policy. The Donegal Draft Plan does not adequately reflect the principles of Regional Policy in this regard.

4. *The Plan be amended to include a Policy Objective (potentially an amendment to Policy RH-05) and accompanying detail which gives effect to RPO 3.3, which seeks to ensure 20% of new rural development occurs on brownfield sites.*

Outcome: MA 6.3.2 set out to Amend Objective RH-O-5: 'To facilitate the positive re-use of existing vacant rural housing stock in the County and to deliver at least 20% of all new housing in rural areas on brownfield sites to seek to prevent further deterioration and dereliction.' The Assembly welcome the amendment in this instance and consider it to be consistent with the Objectives of Chapter 3 of the RSES.

5. *The Plan be amended to give clear structure to the All of County Strategy outlined as a Strategic Objective at SO-3, which is not amplified or detailed thereafter across any of the chapters.*

Outcome: Some additional narrative has been included at 2.1 and 7.1 of the proposed Material Alterations in the case of the former, the Vision and Ambition (2.1) includes a non-material change insofar as the All of County vision referenced by the Assembly has been articulated to some extent, and now references the City Region, economic growth, mobility across the county as a priority, as well as other matters such as community wellbeing and environment.

6. *The Plan be amended to include a Monitoring and Review Mechanism to enable ongoing measurement of Policies / Goals therein. This should include quantifiable indicators where progress / performance can be measured.*

Outcome: No amendment.

OBSERVATIONS MADE BY THE NWRA TO THE DRAFT DONEGAL DEVELOPMENT PLAN:

As was outlined at the outset of this submission, the Assembly submission on the Draft Plan included 22 Observations. Set out below is the detail and assessment on the outcomes of these Observations, which apply across a range of Chapters.

1. *Incorporate a narrative in Chapter 2.1 - 2.4 that clarifies how the Ambition at Chapter 2.1 is to be delivered and the role that Chapter 2.2 – 2.4 will play in delivering on the vision/ambition of the plan.*

Outcome: The revised policy includes the Insertion of text to narrative in Sections 2.1 & 2.2 as a non-material alteration.

2. *The Plan be reviewed to consider allocating a Housing quantum within the Core Strategy for the 48 Rural Villages within the Settlement Hierarchy. The quantum could perhaps be based on municipal boundaries, geographical areas, or, grouped with villages categorised together.*

Outcome: This matter does not appear to have been addressed in the Material Amendments.

3. Consider how demolition waste will be managed, including waste arising from the demolition of Mica affected properties.

Outcome: Section 6 of the Material Amendments report deals with MICA, and it references not only the Assembly submission, but also that of the MICA Redress Group, The Council point out the legislation relating to the remediation of damaged homes contains a number of policy measures in this regard already. It is also noted the amendments (Chief Exec Recommendation 6.1.1 includes an additional narrative in this regard, which commits to managing applications under the scheme. The response to the issue raised is generally comprehensive and is to be welcomed.

4. Section 4 of the Plan be enhanced to give an elaboration to the Council's approach across Climate Action, and Mitigation. This should include a reflection of measures such as progress on a designated Decarbonising Zone, as well as a possible emphasis in areas where the County is contributing substantially (e.g. Renewable Energy / measurement of compact growth etc.).

Outcome: The response under MA Recommendation 4.2 includes reference to the recently published Local Authority Climate Action Plan for Donegal 2024 – 2029 and highlights the County Development Plan should be read in conjunction with this document. This response is noted and represents a clear improvement on the previous iteration of the Draft Plan.

5. Chapter 5 of the Plan be reviewed to provide for an indicative Timeline relating to the assessment of the 13 identified settlements identified for targeted Village Renewal / Regeneration interventions.

Outcome: The Amendment via MA includes the Insertion of text into Chapter 5, as a non-material alteration: Chief Executives Recommendation 5.1. provides detail in this regard and sets out a commitment that a work programme in relation to Town and Village renewal initiatives will be set out via an All of County Strategy, with new staff dedicated to fulfilling this responsibility. This is welcomed by the Assembly.

6. Chapter 6.1.18 including the HNDA to be considered for revision in terms of clarification, if it can be provided, on the extent of the Council's capacity to deliver on Social Housing Demand within the Plan Period.

Outcome: No amendment; whilst several references are made in the Chief Executives Report on the Material Amendment, there does not appear to be a direct clarification in terms of Social Housing delivery via DCC or other agencies.

7. Chapter 6.1.16 of the Plan be reviewed to potentially put in place a programme which gives effect to RPO 3.7, where a programme of rolling serviced sites is envisioned on an incremental and rolling basis.

Outcome: No amendment.

8. Chapter 7 of the Plan be reviewed to further emphasise the progress and extent of digital / co-working hubs across the County, which may include a map to reflect and identify the locations of same, including any additional proposals in the sector.

Outcome: Amendments have been incorporated into to Section 7.1b of the Plan, which are a non-material alteration.

9. Chapter 7 of the Plan (or indeed the Plan at its outset) be revised to include and highlight the consideration of a concise list of Critically Enabling Projects, which the Council see as key to the future success of the County within the Lifetime of this Plan.

Outcome: Some additional narrative has now been inserted into Sec. 7.1 of the Plan, and critically enabling projects are now referenced, including the NWSGP (North West Strategic Growth Partnership), which includes cross border initiatives.

10. Chapter 7 to reflect more clearly how it is delivering upon Regional Policy Objectives 4.3.1 - 4.3.5 of the RSES, with particular reference to Killybegs and Greencastle, and the potential to examine the feasibility for pursuing the designation of Killybegs Port as an EU TEN-T Comprehensive Port.

Outcome: Sec 7.1. of the MA Report does acknowledge the suggestion of the Regional Assembly, however, the additional narrative provides headline detail, without giving particular detail to the role of the Ports of Greencastle and Killybegs.

11. Chapter 7 to be reviewed to reflect any specific measures needed to improve the relatively poor resident / workers ratio in underperforming towns such as Buncrana, with potential Policy/Objectives arising from the same.

Outcome: This matter is covered at Sec. 7.1 of the Draft Plan, commentary on same is set out above at No.10. Whilst it is acknowledged by Donegal County Council interventions are required in regard to a weak resident to worker ratio, specific measures are not set out explicitly. Nonetheless, the amendment to the narrative represents an improvement to the position of original Draft Plan.

12. Review the nature and scale of Businesses being facilitated under Policies ED-P-5, ED-P-6 and ED P-7 to ensure consistency with the ambition to improve the vitality and viability of more compact towns and villages and to transition towards net zero carbon emissions.

Outcome: This matter was highlighted by a number of parties, including the OPR (Office of Planning Regulator), and a comprehensive response is set out under Sec 7.2, and 7.3 of the Material Amendments. The original Draft policy has now been replaced with Policy ED-P-xx, which restricts certain uses defined as incompatible in the countryside, and this is welcomed by the Assembly.

13. *Access to be provided to the Evidence Base (Socio – Economic Study) referenced in Chapter 8.*

Outcome: No amendment, no socio economic analysis added to the original Draft. The Assembly note the recently published Donegal Local Economic Community Plan (LECP), does contain a socio-economic profile of Donegal, and it would have been worthwhile to utilise or reference same in this regard.

14. *Chapter 8.1.3.2 be reviewed to reflect the Publication of the Consultation Document on the All Island Rail Review, and thereafter set out Donegal’s ambition / longer term policy objective(s) with regard to future Rail provision in the County, beyond the lifetime of this Plan period.*

Outcome: No Amendment – although there is some reference in the Chief Executive’s response (Chapter 08) which comments that Rail is not likely to return to Donegal before the 2050s, and the focus in the meantime must be on improvement of the Road network.

15. *Chapter 8 be reviewed to address the Regional ambition contained within the RSES which includes reference to a feasibility study on Killybegs Port, its role, and potential to achieve a status beyond its current designation as Tier 3 – Port of Regional Significance.*

Outcome: No Amendment – although there is reference to the importance of the role of Killybegs at Sec. 7.1 of the Plan (Marine & Blue Economy), there is no commitment to a further examination of its future role either in the context of South West Donegal, or the wider Sub Region.

16. *Chapter 8 be amended (Tables at 8.1 (Roads) and 8.2 (Greenways) to allocate a status to each project, and an estimate on timelines. It is suggested where a precise timeline cannot be provided then a Scheme could be classified as deliverable in either the Short / Medium / Long Term.*

Outcome: No Amendment

17. *Chapter 8 be amended in respect of Policy TP-17, in respect of the 9 Letterkenny commuter settlements identified, with a Park / Ride Share Hub subject to a feasibility study, which is to be delivered in the Short Term (e.g. within 12 months of Plan adoption) with a series of Actions arising to potentially be given effect within this Plan period.*

Outcome: No Amendment

18. *The Plan is amended to include further elaboration on extractive industries (Sec. 9.2) to give consideration to mapping areas of aggregate potential, in line with the Quarry Guidelines of 2004.*

Outcome: No Amendment. Sec. .9.2 includes several very minor amendments, which are non material, and do not address the substantive issue raised by the Assembly.

19. *The Plan be revised to take into account Regional and National ambitions in respect of the Bio Economy, having regard to the National Statement and RPOs 4.27, 4.28 & 4.29.*

Outcome: MA7.1, The Amendment relates directly to the Bioeconomy, the RSES definition of same, and of policy future proofing in this regard. The Assembly are satisfied the Amendment aligns the County Plan with the Regional Policy set out in Sec. 4 of the RSES in this regard.

20. *Chapter 10.2 be revised to incorporate a clear timeline on the delivery of the Review of Tourist assets, and the priorities for investment be afforded a similar roadmap for phased delivery.*

Outcome: No Amendment. Whilst some additions (to Chapter 10) are proposed through the reference to Failte Ireland's 'Destination and Experience Development Plan's', the delivery of an investment programme around Tourist assets is not elaborated upon.

21. *Chapter 14 be reviewed to consider incorporating any applicable findings related to the NWRA's publication on Designated Marine Area Plans (DMAPs), referenced at P.12 above.*

Outcome: Amendments to Section 14.7 are non-material alteration. The Chief Executive's Report notes that this Draft Plan extends only to Onshore Development in its functional remit.

22. *The Plan be reviewed in the Context of SMART Regions / SMART Towns, to reflect Sec. 6.4 of the RSES.*

Outcome: No Amendment

Part B - PROPOSED MATERIAL ALTERATIONS IN RESPECT OF PART B, AREA PLANS FOR BUNCRANA, BALLYBOFEY/STRANORLAR AND BUNDORAN

As was the case with the draft plan submission, it is not proposed to offer detailed comment on the 3 Draft Local Area Plans for Ballybofey – Stranorlar, Bundoran and Buncrana, as the Assembly do not normally comment on settlement detail below the level of RSES Key Towns / Regional Growth Centres.

The forthcoming commentary will focus on selected proposed MAs to the Draft CDP, which are of regional importance and have implications / resonance for the RSES for the Region.

COMMENTARY ON SELECTED PROPOSED MATERIAL AMENDMENTS TO THE DRAFT COUNTY DEVELOPMENT PLAN

The issues highlighted in the Assembly's initial submission to the Draft Donegal CDP have been examined in the previous section. The proposed Material Alterations of regional significance that

have not been captured in the previous section are summarised briefly, and dealt with (in Chapter Order) below:

Chapter 4 Climate Change, MA 4.1 outlines a clear enhancement on the policy role of green and blue infrastructure, and a greater emphasis to the aims of the RSES, specifically the RSES objective of RPO 9.4.

Chapter 5. Towns and Villages MA 5.1 and MA 5.2 seeks to insert a new policy wording on Protecting and enhancing the unique physical character of historic town and village centres including other non-structural elements of our towns and village that contribute to their unique character and identity, such as historic walls and street furniture. The Assembly welcome MA 5.1 & MA 5.2 as demonstrating consistency with the RSES, RPO 5.13 & 5.14.

Chapter 8. Infrastructure There are a series of MAs 8.1.1, 8.1.2(a) 8.1.2(b), 8.1.2(c) which refer to TEN-T projects across Donegal - Priority Route Improvement Project Donegal (PRIPD) N15/N13 Ballybofey/ Stranorlar By-pass. The Assembly welcome these amendments and consider them to be aligned with the ambitions of the RSES and in particular, RPO 3.7.30, RPO 6.7 and RPO 6.8.

MA 8.1.3 (National Broadband Delivery), is consistent with the RSES and in particular RPOs 8.36-8.39 and RPO 6.52, and is also in line with NDP, NSO 6.

Chapter 15. Public Rights of Way

MA 15.1 identifies 36 Public Rights of Way, and listed these routes in a table (15.1). This inclusion as required by the Planning & Development Act 2000 (as amended) is consistent with RSES and RPO 4.5. 4.14 and 7.9. This is a welcome addition to the original Draft Plan.

Conclusion

The Material Amendments represent an enhancement of certain elements of the Draft Plan. The Amendments to the Core Strategy, and recalibration of the Plan towards a greater extent of urban growth helps underpin the role of the County's largest Towns, with an additional quantum of housing apportioned to Letterkenny, Bunrana and Ballybofey – Stranorlar. This approach is reflective of a core message of the RSES, which seeks to grow the Regions urban centres of scale (RPO 3.1). Greater policy consistency in the areas of brownfield utilisation (Rural Areas), and an articulation of priorities in the Bio-Economy field have all been bolstered via the proposed Material Amendments process.

The failure to exclude the N-56 access exemption contained within Policy TP-12 b & c is a significant issue and it is not consistent with the RSES. The Policy as presented is without an evidence base and is contrary to Regional Policy in respect of National Roads safeguard(s), which is articulated via RPO 6.5.

The Assembly is concerned that sufficient scrutiny has not been applied in the Policy approach to Urban Generated Rural Housing, the definition of same, particularly the apparent absence of regard to commuting evidence, and Census 2022 data. There is a lack of correlation with Regional Policy, which seeks to create critical mass in Key settlements via the effective control of Urban Generated rural housing (Refers (inter-alia); potentially undermining RPO 3.1, 3.2 and also RPO's 3.6.14, 3.7.24 & 3.7.45), which applies primarily in this Plan to Letterkenny, Bunrana and the Twin Towns. Chapter 6 of the Plan therefore does not fully align with the RSES in this regard.

In addition to the omissions set out above, there are, in the view of the Assembly, a significant number of policy matters which have not been directly dealt with in the revisions to the Draft Plan, which are of fundamental importance to the development of Donegal. These omissions (which are listed at the outset of this report), in many cases are of Regional, and Sub – Regional significance in land-use planning and additionally, are of socio-economic importance. The absence of a clear dissemination in these policy areas represents a limiting of the Plan in its vision for Donegal over the coming years. The Assembly is concerned that the apparent failure to address the issues raised in its submission to the Draft Plan will render the Plan inconsistent with the RSES and will not provide for the proper planning and sustainable development of the area.

I trust that the above is of assistance and the Assembly wish to thank Donegal County Council for the opportunity given to provide this submission. If you have any queries in respect of the above, then do not hesitate to revert.

Mise le meas



Denis Kelly
Director