

**Minutes of Leitrim County Council Special Meeting held via MS Teams on Monday, 24  
January 2022**

**Members Present:** Councillor Mary Bohan  
Councillor Finola Armstrong McGuire  
Councillor Enda McGloin  
Councillor Sean McGowan  
Councillor Brendan Barry  
Councillor Frank Dolan  
Councillor Gerry Dolan  
Councillor Pdraig Fallon  
Councillor Paddy Farrell  
Councillor Des Guckian  
Councillor Felim Gurn  
Councillor Thomas Mulligan  
Councillor Sean McDermott  
Councillor Ita Reynolds Flynn  
Councillor Enda Stenson  
Councillor Justin Warnock

Councillor Paddy O'Rourke (Cathaoirleach) presiding

**Apologies:** Councillor Caillian Ellis

**Officials Present:** Lar Power, Chief Executive  
Joseph Gilhooly, Director of Services, Economic Development,  
Planning and Infrastructural Services  
Mary Quinn, Director of Services, Housing, Corporate Services,  
Community and Cultural Services  
Samantha Healy, Senior Executive Officer Corporate Services  
and Housing  
Shay O`Connor, Senior Engineer  
Terry McGovern, Senior Engineer  
Bernard Greene, Senior Planner  
Francis Gaffney, A/Senior Engineer  
Vivienne Egan, Senior Executive Planner  
Liam Flynn, Executive Planner  
Deirdre Lardner, Executive Planner  
Mairead Shanley, Meetings Administrator  
Kieran Brett, Meetings Administrator  
Kathleen Ellis, Assistant Staff Officer

**MM.23.22 Consider the Draft County Development Plan 2023- 2029 as submitted by the CE on 26 November 2021 and to approve the Draft County Development Plan 2023-2029 for public display, with or without amendment, in accordance with section 11(5)(c) of the Planning and Development Act 2000 (as amended)**

Cathaoirleach, Councillor Paddy O'Rourke said due to the large number of proposed amendments, he sought the co-operation of the members, asking the members to be concise and adhere to speaking time as per Standing Orders. He invited Mr Bernard Greene, Senior Planner to update the members on the process being undertaken.

Mr. Bernard Greene provided a short PowerPoint presentation to recap on the process which appears as **Appendix 1** to the minutes of this meeting. He outlined that following the submission of the Chief Executive's draft of the Leitrim County Development Plan 2023 – 2029 to the Elected Members on 26<sup>th</sup> November 2021, a series of workshops were conducted with the Members at full Council level and at Municipal District level. The purpose of these workshops was to inform the members on the content of the proposed Draft County Development Plan across a number of development themes incorporating elements such as forecasted housing provisions, land use zoning objectives, climate action measures, settlement-specific proposals and objectives as well as environmental considerations and flood risk which have informed the process to date.

These workshops were intended to support the members in their statutory requirement of considering the content of the submitted Draft Development Plan and to amend same within the required 8 weeks following receipt of the Chief Executive's Draft of the Plan. Accordingly, in advance of this statutory deadline, members were requested to submit their proposed amendments to the Planning Authority by 5.30pm, Friday 14<sup>th</sup> January 2022. This was agreed with the members at the January Council on Monday 10<sup>th</sup> January 2022.

A total of 15 no. submissions were received by the Planning Authority in advance of this requested deadline. No submission was received after this date.

Members were advised that in instances where proposed amendments have been recommended by the Chief Executive for inclusion in the Draft Plan for public display, these have been subject to assessment by the appointed consultants overseeing the Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) of the proposed Draft Plan to date and are integral assessments in the overall process.

Members were also advised, as they had been at the individual Municipal District workshops, of their responsibility under the Local Government Act 2001, as amended, with regard to Conflict of Interests in the context of the preparation of the draft County Development Plan. A copy of the PowerPoint presentation is attached to the minutes.

## SUBMISSION NO. 1 - CLLR. SEAN MCDERMOTT

### Proposed Amendment 1

In a parish that has sustained population loss over a period of 2 census results, housing applicants with no ties to that parish will be allowed to apply for planning to build their homes until the population has stabilised.

On the **Proposal** of Councillor Sean McDermott  
**Seconded** by Councillor Justin Warnock

Mr Bernard Greene, Senior Planner responded as follows: -

Section 3.17 of the proposed draft Leitrim County Development Plan 2023-2029 sets out the Rural Settlement Strategy for the county over the forthcoming plan period. Underpinning this strategy is a series of policies and objectives supporting the future development of rural-based housing within identified Graigs or as individual one-off rural housing developments. The proposed Rural Settlement Strategy defines two categories of rural areas within the county:

- 1 *'Low Capacity Areas'* – rural areas under strong pressure for urban generated housing, as a result of their proximity to larger settlements such as Carrick-on-Shannon and Sligo as evidenced by analysis of commuter patterns of relevant Electoral Divisions (EDs) based on the 2016 Census and POWSCAR datasets where greater than 15% of resident populations were commuting to these larger urban centres; and
- 2 *'Other Rural Areas'*.

The proposed policy RUR SET POL 3 requires an applicant seeking planning permission within a *'Low Capacity Area'* to demonstrate their social and/or economic need for a rural, one-off house. The requirement to demonstrate such need is only applicable to those areas defined as being *'Low Capacity Areas'*. Applicants for rural housing in the remaining *'Other Rural Areas'* of the county are not required to demonstrate conformity with the social and/or economic need criteria outlined in Policy RUR SET POL 3.

Given that the identified *'Low Capacity Areas'* have not experienced any sustained population decrease in the last two consecutive Census of Population recordings (2011 and

2016), it is considered that there is sufficient policy support already contained within the proposed draft Plan which reflects the intention expressed in the proposed amendment.

**Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Justin Warnock and **UNANIMOUSLY RESOLVED**

“That there is no amendment to the draft County Development Plan 2023 – 2029 on foot of this submission”.

**SUBMISSION NO. 1 - CLLR. SEAN MCDERMOTT**

**Proposed Amendment 2**

That the County Development Plan would look at the possibility of bringing back to life the many unoccupied homes in rural Leitrim.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Mary Bohan

Mr Bernard Greene, Senior Planner responded as follows:

It is accepted that there were approximately 3,500 residential units in Co. Leitrim identified in the 2016 Census of Population as being vacant with a further 1,500 residential units classified as holiday homes. The extent of such vacant residential property represents a considerable asset from a sustainability perspective but also to provide accommodation for dwellers in both an urban and rural context. The Development Plan’s ability is technically limited in terms of how it can assist in bringing such properties back into use as such development may not require planning permission. It is considered that the existing draft Plan does provide support already in this regard and these provisions are now outlined.

Section 3.17.4 of the proposed draft Plan addresses the issue of replacement houses in a rural context, with stated support for the restoration of houses and other structures of note in the countryside as opposed to their demolition. Moreover, there is to be a presumption in favour against the demolition of vernacular dwellings and structures where restoration or adaptation is considered by the Planning Authority to represent a feasible option. Further support for this proposed amendment item is expressed in proposed Objective RUR SET OBJ 3 which states that it is an objective of the Council:

*“To encourage the appropriate re-use and adaptation of the existing rural residential building stock in preference to new build where practicable”.*

Accordingly, it is considered that there is sufficient policy and contextual support contained within the proposed draft Plan which reflects the proposed amendment.

### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“That there is no amendment to the draft County Development Plan 2023 – 2029 on foot of this submission”.

### **SUBMISSION NO. 1 - CLLR. SEAN MCDERMOTT**

#### **Proposed Amendment 3**

That Kiltyclogher be designated as a Heritage and Cultural Village for Leitrim.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Pdraig Fallon

Councillor Sean McDermott said this arose in 2016 and it was supported by the full Council, and he gave the example of Riverstown in County Sligo as a cultural village.

Mr Bernard Greene, Senior Planner responded as follows:

It is noted that Cllr. Fallon has submitted a similar proposed amendment. Kiltyclogher, like many towns and villages in the county, has a unique heritage. This heritage however may not be of a built form but more of a social and cultural nature. The importance of this cultural heritage can be reinforced in the Plan by distinguishing this village as a Heritage Village in recognition of its rich cultural history. It is acknowledged that Kiltyclogher has also had a longstanding role in hosting and promoting key artistic and academic festivals such as the Michael Shanley Music Festival, Kiltyclogher Drama Festival and the Seán Mac Diarmada Summer School. Moreover, Kiltyclogher is synonymous with the history of the Irish Republic given its association with Seán Mac Diarmada, one of the signatories of the Proclamation of the Republic, whose homeplace in the townland of Corranmore is not far from the settlement. The Planning Authority has no objection therefore to this proposed amendment.

However, it is considered that there are other centres within the county that have equally compelling claims to be recognised in their own right as heritage towns or villages. The villages of Drumsna and Jamestown along with Manorhamilton and Carrick on Shannon have significant built heritage whilst Mohill, Dromahair and Fenagh have significant ecclesiastical / archaeological heritage within their centres. Ballinamore has a strong tradition of Irish signage on shop fronts. In the absence of a national programme which would consider such designations, it is considered appropriate that the Council would over the course of the Plan undertaken an evaluation exercise which would identify and rank the heritage basis of individual centres with a view to promoting and marketing such centres but also ensuring that appropriate centres are nominated for funding programmes which may arise. It is considered this objective would sit more comfortably in the Tourism Chapter rather than the Heritage Chapter.

### **Recommendation**

To include the following new objective (**KR 6**) on page 117 of the Kiltyclogher Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To support the designation of Kiltyclogher as a Heritage Town in recognition of its cultural importance and its rich history and association with Seán Mac Diarmada, one of the signatories of the Proclamation of the Republic.*

To include the following new Objective (**TOUR OBJ 9**) in the Written Statement (Volume I):

*In the absence of a national programme which would identify and bestow Heritage Town / Village designations, the Council will, during the life of the Plan, undertaken an evaluation / assessment exercise which would consider the heritage strengths (built, natural and cultural elements) of individual centres. When complete, this would inform the promotion and marketing of such centres but also ensuring that appropriate centres are nominated for funding programmes which may arise.*

Councillor Mary Bohan said this came before the full Council previously and all Councillors at that meeting gave it support.

Councillor Pádraig Fallon said he had considered the report of the Senior Planner and he said none of the Councillors wants to create a hierarchy for any of our towns and villages. This proposal is to seek recognition for the special heritage associated with Kiltyclogher as the birthplace of Seán Mac Diarmada, one of the signatories of the Proclamation.

Councillor Felim Gurn said the historic significance associated with Kiltyclogher should be recognised.

Councillor Justin Warnock said a special case should be made for Kiltyclogher on its own and dealt with on its own.

Councillor Sean McDermott said this is not North Leitrim against the rest of the county. From a tourism perspective this designation has the potential to be a game changer for all the county and its designation should not dilute or affect the possibility of other towns applying for Heritage Town status.

Mr Greene said the members may choose to omit objective TOUR OBJ9 if they so wished.

Councillor Mary Bohan asked what the implication would be if the objective was not included.

Mr Greene outlined his belief that the undertaking of such an evaluation would enhance the success of funding applications made by this Council in future. If Manorhamilton was proven to have a population in excess of 1,500 people, it would be eligible along with Carrick-on-Shannon to apply for funding under the Historic Towns Initiative programme.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Justin Warnock and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**KR 6**) on page 117 of the Kiltyclogher Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To support the designation of Kiltyclogher as a Heritage Town in recognition of its cultural importance and its rich history and association with Seán Mac Diarmada, one of the signatories of the Proclamation of the Republic”.*

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“To include the following new Objective (**TOUR OBJ 9**) in the Written Statement (Volume I Draft Leitrim County Development Plan 2023-2029):

*In the absence of a national programme which would identify and bestow Heritage Town / Village designations, the Council will, during the life of the Plan, undertaken an evaluation / assessment exercise which would consider the heritage strengths (built, natural and cultural elements) of individual centres. When complete, this would inform the promotion and marketing of such centres but also ensuring that appropriate centres are nominated for funding programmes which may arise.”*

#### **Proposed Amendment 4**

##### **Forestry**

Applicants who apply for afforestation should have ownership of their lands for 10 years and should have full planning approval for their projects.

#### **SUBMISSION NO. 1 - CLLR. SEAN MCDERMOTT**

On the **Proposal** of Councillor Sean McDermott  
**Seconded** by Councillor Des Guckian

Mr Bernard Greene, Senior Planner responded as follows:

Under the current legal framework, forestry activity prescribed in the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended, is considered exempted development and beyond the requirement to obtain planning permission. The consent mechanism for most forestry activities is provided by way of licence from the Department of Agriculture, Food and the Marine (DAFM) rather than through the planning process. In the regard, applications for licences from the DAFM are required for the following forestry activities:

- Tree felling – a Felling License is required to uproot or to cut down any tree (subject to certain exemptions);
- Aerial fertilisation – an Aerial Fertilisation Licence must be obtained before a person can use an aircraft to apply fertiliser to a forest;
- Afforestation – an Afforestation Licence is required for all afforestation projects where the area involved is greater than 0.10 hectares (approximately 0.25 acres);
- Forest road construction – a licence is required to construct a forest road. (If a forest road construction project includes the provision of access to a public road which forms part of the national road network, planning permission for the access would also be required.)

Under the existing legal framework, there is no scope to accommodate the suggested amendment within the proposed draft Plan. Notwithstanding, as part of the review of the County Development Plan, and reflecting the fundamental issues associated with forestry within the County and its perceived impacts on amenity and landscape values in the County and the strength of feeling on this matter as expressed by Elected Members, the Planning Authority has commissioned RPS Group to prepare a Landscape Capacity Assessment for Commercial Forestry for the county. RPS Group also prepared the review of the existing Landscape Character Assessment, Designated Landscapes and Protected Views and Prospects as part of the overall Development Plan review, and which have informed the



proposed draft Plan.

The Landscape Capacity Assessment for Commercial Forestry, which will be available in working draft format to members soon, provides clear indication as to which areas can accommodate some form of commercial forestry as well as those areas which are wholly inappropriate for such development. As the Members may be aware it was not possible to have this assessment completed in time to inform the draft Development Plan. However, working with the Elected Members over the coming weeks, a policy framework supported by the evidential basis of the Landscape Capacity Assessment for Commercial Forestry will be developed. This can then be incorporated into the draft Development Plan as a material alteration in due course.

Moreover, the Planning Authority is conscious of the fact that a National Forestry Strategy is currently under review by the DAFM with an extensive public and stakeholder consultation under the guise of a Citizens' Assembly format to take place over the next year. In this regard, it is anticipated that the Landscape Capacity Assessment for Commercial Forestry will form a significant element of any engagement between the Council and the DAFM on this matter.

### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

Councillor Des Guckian said this proposal is to counter vulture funds from buying up land. He believed the response was "kicking the can down the road".

Councillor Justin Warnock said now was not the time to include a proposal such as this in the Draft County Development Plan. He agreed that there is no legal basis that facilitates this proposal.

Councillor Sean McDermott acknowledged and accepted that the amendment is not recommended in the draft County Development Plan 2023-2029 and he agreed to wait and see what engagement will take place on this between the Council and the DAFM.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Justin Warnock and **UNANIMOUSLY RESOLVED**

"That the amendment is not recommended in the draft County Development Plan 2023-2029 and will wait and see what engagement will take place on this between the Council and the DAFM".

## **SUBMISSION NO. 1 - CLLR. SEAN MCDERMOTT**

### **Proposed Amendment 5**

In respect of the Settlement Plan for Glenfarne, page 109 (of Volume II) states that no there are no wastewater pipe services at West Barrs, Glenfarne, but there is a service there which services 4 no. Council houses that could be upgraded and provide Service Sites on nearby parish land. All piped water servicing all Glenfarne is from the Glenfarne/Glenboy Water Scheme. The Wastewater Treatment Plant at Brockagh Lower, Glenfarne needs to be extended to Sranagross, Glenfarne Village as this village is built on the river.

On the **Proposal** of Councillor Sean McDermott  
**Seconded** by Councillor Frank Dolan

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority acknowledges the proposed amendment and notes that the proposed draft Plan contains policy support to regenerate small towns, rural villages and graigs by providing serviced sites for individual rural dwellings as a viable alternative to one-off housing on the open countryside (RUR SET POL 1 refers). Accordingly, the Planning Authority has no difficulty in providing sufficient policy support in the proposed draft Plan to liaise with Irish Water with a view to providing adequate wastewater treatment facilities (wastewater treatment plant and discharge to include network) to serve lands identified for development within individual village development boundaries. At present, it is only the existing Local Authority housing development at McNeen Crescent which is served by the adjoining wastewater treatment plant which is in the charge of Irish Water. There is no effective wastewater treatment system in place to serve Glenfarne, Sranagross or West Barrs along with the village of Kilclare and Rossinver.

The Planning Authority has recommended the following amendment in response to the submission by Cllr. McGloin and this is considered relevant to the consideration of Cllr. McDermott's proposed amendment. However, it forms part of a wider proposed amendment.

*Where it is absent or there is an issue in relation to the provision of piped wastewater treatment in villages (Glenfarne to include Sranagross and West Barrs, Kilclare and*

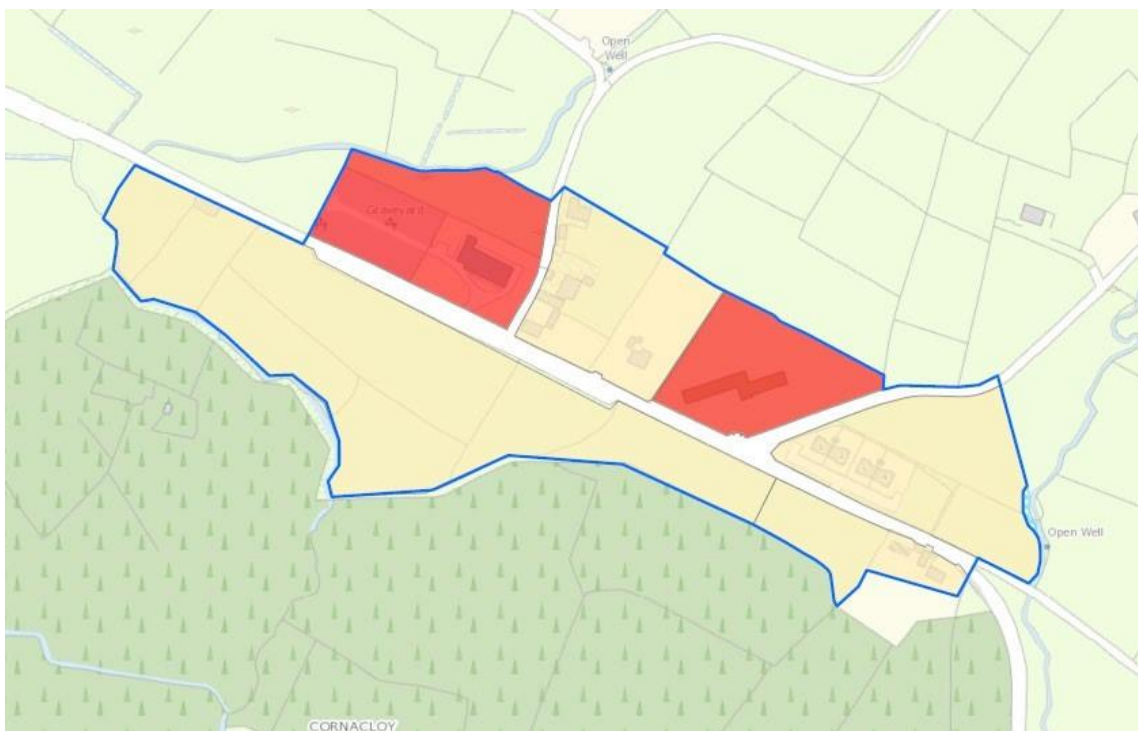
*Rossinver) and in gaigs, the Council will pursue the resolution of such constraints in conjunction with Irish Water and seek to explore appropriate funding measures for same.*

In relation to the consideration of the lands at West Barrs, Glenfarne for serviced sites, the existing Local Authority houses (1-4 West Barrs) is served by a package treatment plant that discharges to ground. This cannot accommodate additional loading to serve further development. It is noted on review that the subject site referred to in this proposed amendment is not included within the development envelop of West Barrs. This was an oversight on behalf of the Planning Authority. In response to this submission, it is therefore proposed to extend the development envelop to include the site across from St. Michael's Church for the consideration of low density serviced sites subject to an acceptable means of wastewater treatment being provided which would not result in environmental impacts arising.

### **Recommendation: Glenfarne C (West Barrs) Land Use Zoning Objectives Map**

1 To extend the development envelop to include the lands directly across from St. Michael's Church for General Development purposes (as shown in Figure 1 below).

**Figure 1: Amendment to Glenfarne C (West Barrs) Land Use Zoning Objectives Map**



2 To include the following new objective (**GE 8**) on page 109 of the Glenfarne Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

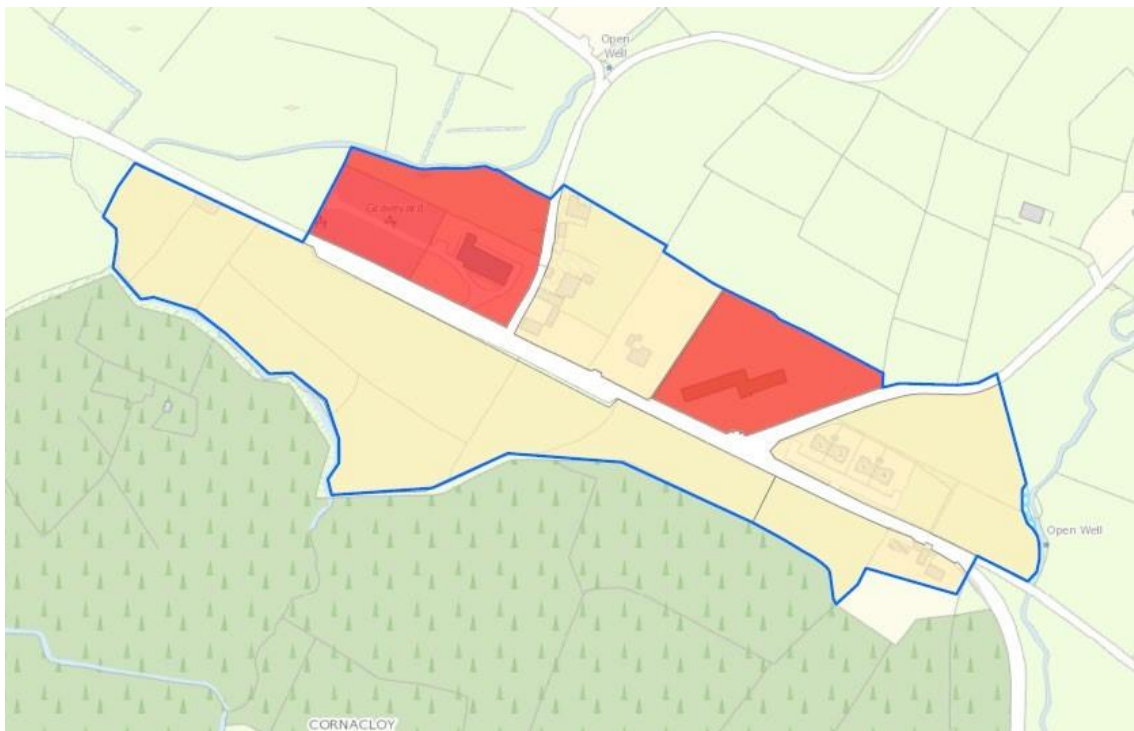
*To seek to advance the development of the lands directly across from St. Michael's Church for low density serviced sites subject to an acceptable means of wastewater treatment being provided which would not result in environmental impacts arising.*

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Frank Dolan and **UNANIMOUSLY RESOLVED**

“To extend the development envelop to include the lands directly across from St. Michael’s Church for General Development purposes (as shown in Figure 1 below).”

**Figure 1: Amendment to Glenfarne C (West Barrs) Land Use Zoning Objectives Map**



On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Felim Gurn and **UNANIMOUSLY RESOLVED**

“To include the following new objective **(GE 8)** on page 109 of the Glenfarne Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To seek to advance the development of the lands directly across from St. Michael’s Church for low density serviced sites subject to an acceptable means of wastewater treatment being provided which would not result in environmental impacts arising.”*

**SUBMISSION NO. 1 - CLLR. SEAN MCDERMOTT**

### **Proposed Amendment 6**

That Glenfarne would be allowed more workspace i.e. working hub, warehouse space.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Felim Gurn

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority acknowledges that facilitating remote working and the provision of working hubs and employment space is a key feature of the proposed draft Plan, particularly given the advancement of this working model since the emergence of the COVID-19 pandemic. In this regard, the proposed draft Plan contains a number of contextual references and policy supporting the provision of such facilities. The Planning Authority has no difficulty in drafting an additional objective which specifically supports the provision of a working hub facility within Glenfarne / Sranagross.

In terms of policy support for wider economic development, such as the provision of warehouse space, Chapter 4 of the proposed draft Plan provides the policy framework for supporting a wide range of economic development activities within the county. The Zoning Objectives Maps for Glenfarne / Sranagross contains a number of areas designated as 'General' land use zoning objective which provides for a range of potential land uses for Tier 4 settlements including residential, commercial activity and enterprise and employment. It is considered that there is sufficient flexibility in this land use zoning objective to accommodate potential economic development proposals such as warehouse space or working hubs on such designated lands. No amendment in this regard is therefore considered necessary.

### **Recommendation**

To include the following new objective (**GE 9**) on page 109 of the Glenfarne Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To liaise with relevant stakeholders in identifying a suitable location being developed for a remote working hub facility in Glenfarne / Sranagross.*

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Felim Gurn and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**GE 9**) on page 109 of the Glenfarne Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To liaise with relevant stakeholders in identifying a suitable location being developed for a*

*remote working hub facility in Glenfarne / Sranagross.”*

## **SUBMISSION NO. 2 - CLLR. PADRAIG FALLON**

### **Proposed Amendment 1**

To erect signage at County boundaries recognising the birthplace and contribution of Seán Mac Diarmada

On the **Proposal** of Councillor Padraig Fallon  
**Seconded** by Councillor Sean McDermott

Councillor Padraig Fallon said he has been asking for this for the last 6 years and it has been fully discussed at Council meetings and it is not happening.

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority is aware that the proposal to recognise Sean Mac Diarmada on signage for Co. Leitrim has been the subject to discussion and agreement previously by the Elected Members. It is considered that such matters relating to the manner in which the County is effectively branded on entry signs to the county is a corporate matter for the Council to determine. However, it is not considered that such matters are a consideration for the County Development Plan.

### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

Councillor Felim Gurn asked how long it would take Leitrim County Council to put such signage in place.

Councillor Justin Warnock said this is very disappointing as it has been going on for 6 years and talked about and we need to move on it.

Councillor Des Guckian queried as to what is meant by the term a “corporate matter”?

Councillor Sean McDermott said Leitrim County Council is “missing a beat” if we don’t deal with this.

Mr Joseph Gilhooly, Director of Services said as a corporate matter it is not a matter to be considered through the County Development Plan and the views of the members will be taken into consideration and the matter will be addressed later.

Councillor Padraig Fallon said the members spoke well on this submission and he said he has no issue with what Mr Gilhooly has outlined. He asked that this be considered from a tourism perspective and that the members be given an update in 3 months.

Mr Gilhooly agreed to this request.

On the **Proposal** of Councillor Padraig Fallon

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

“That there is no amendment to the draft Development Plan is recommended on foot of this submission and this will be looked at under a tourist perspective and will revert back to the Members on same in due course.”

#### **SUBMISSION NO. 2 - CLLR. PADRAIG FALLON**

##### **Proposed Amendment 2**

To include Kiltyclogher as a Heritage Village

On the **Proposal** of Councillor Padraig Fallon

**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

This proposal has also been submitted by Cllr. McDermott (Submission No. 1 – Proposed Amendment 3).

On the **Proposal** of Councillor Padraig Fallon

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**KR 6**) on page 117 of the Kiltyclogher Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To support the designation of Kiltyclogher as a Heritage Town in recognition of its cultural importance and its rich history and association with Seán Mac Diarmada, one of the signatories of the Proclamation of the Republic”.*

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“To include the following new Objective (**TOUR OBJ 9**) in the Written Statement (Volume I Draft Leitrim County Development Plan 2023-2029):

*In the absence of a national programme which would identify and bestow Heritage Town / Village designations, the Council will, during the life of the Plan, undertaken an evaluation / assessment exercise which would consider the heritage strengths (built, natural and cultural elements) of individual centres. When complete, this would inform the promotion and marketing of such centres but also ensuring that appropriate centres are nominated for funding programmes which may arise.”*

#### **SUBMISSION NO. 2 - CLLR. PADRAIG FALLON**

##### **Proposed Amendment 3**

Develop cycle and walkway from Spencer Harbour to Drumkeeran

On the **Proposal** of Councillor Padraig Fallon

**Seconded** by Councillor Mary Bohan

Mr Bernard Greene, Senior Planner responded as follows:

The potential for a cycle and walkway from Spencer Harbour to Drumkeeran is acknowledged and a specific objective for the provision of this element of green infrastructure which promotes active travel should be included in the Plan. The linkage will be of benefit to both locals and tourists and will bring additional footfall to Drumkeeran. The development would be complementary to Tourism Objective 7 which seeks to explore the improvement of existing infrastructure at Spencer Harbour.

#### **Recommendation**

It is recommended that a specific objective (**BG OBJ 10**) be included in the Written Statement (Volume I of the Draft Plan) in Section 8.9 Blueways and Greenways as follows:



*To support and facilitate the development of a greenway linking Spencer Harbour to Drumkeeran subject to obtaining the necessary planning consent and where it can be demonstrated that the development will not have significant adverse effects on the environment, including the integrity of the Natura 2000 network. All proposed developments shall be in accordance with the Birds and Habitats Directives, Water Framework Directive and all other relevant EU Directives.*

On the **Proposal** of Councillor Padraig Fallon

**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“That a specific objective (**BG OBJ 10**) be included in the Written Statement (Volume I of the Draft Plan) in Section 8.9 Blueways and Greenways as follows:

*To support and facilitate the development of a greenway linking Spencer Harbour to Drumkeeran subject to obtaining the necessary planning consent and where it can be demonstrated that the development will not have significant adverse effects on the environment, including the integrity of the Natura 2000 network. All proposed developments shall be in accordance with the Birds and Habitats Directives, Water Framework Directive and all other relevant EU Directives”.*

#### **SUBMISSION NO. 2 - CLLR. PADRAIG FALLON**

##### **Proposed Amendment 4**

Upgrade and enhancement of Corry Strand

On the **Proposal** of Councillor Padraig Fallon

**Seconded** by Councillor Mary Bohan

Mr Bernard Greene, Senior Planner responded as follows:

Corry Strand is a valuable scenic and recreational amenity, the upgrade and enhancement of which is supported by the Council.

#### **Recommendation**

To include the following new objective (**DN 7**) on page 92 of the Drumkeeran Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To support and facilitate the upgrade and enhancement of Corry Strand subject to proper planning and environmental considerations.*

On the **Proposal** of Councillor Pdraig Fallon

**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**DN 7**) on page 92 of the Drumkeeran Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To support and facilitate the upgrade and enhancement of Corry Strand subject to proper planning and environmental considerations”*

Councillor Mary Bohan asked that toilet facilities be included in any upgrade and enhancement works carried out at Corry Strand.

### **SUBMISSION NO. 3 - CLLR. SEAN MCDERMOTT**

#### **Proposed Amendment 7**

To extend the village zoning boundary to include the unfinished housing development at Brockagh Lower, Glenfarne opposite the wastewater treatment system and to include an objective to seek satisfactory completion of this unfinished housing development similar to that included for both *Corra Bhile* and *the Meadows* in Killarga.

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Frank Dolan

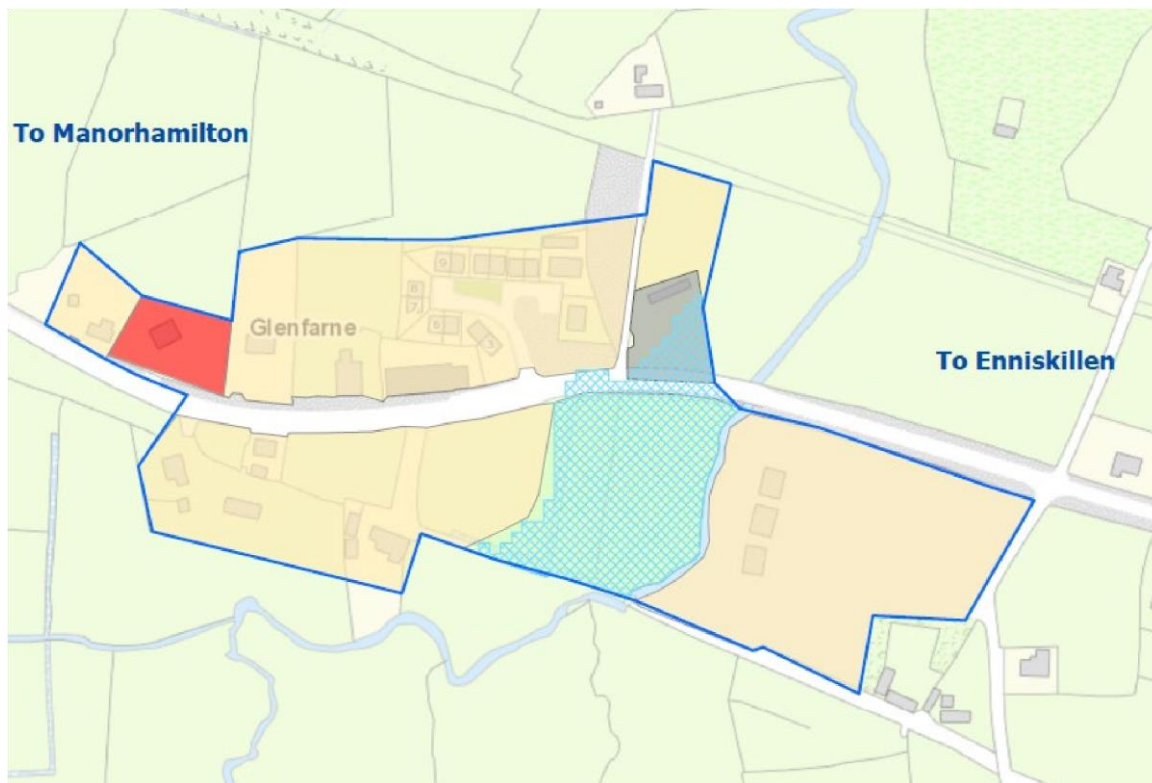
Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority has no objection to this proposed amendment. It is noted that the lands to the west of same were excluded from the Glenfarne Land Use Zoning Objectives Map on the basis of being located within areas identified as being at risk of flooding. These areas will be identified for ‘Agricultural’ use accordingly.

#### **Recommendation Glenfarne A – West Barrs Land Use Zoning Objectives Map**

1. To extend the development envelop to include the unfinished housing development at Brockagh Lower for General Development purposes (as shown in Figure 2 below)".

**Figure 2: Amendment to Glenfarne A Land Use Zoning Objectives Map**



2. To include the following new objective (**GE 10**) on page 109 of the Glenfarne Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

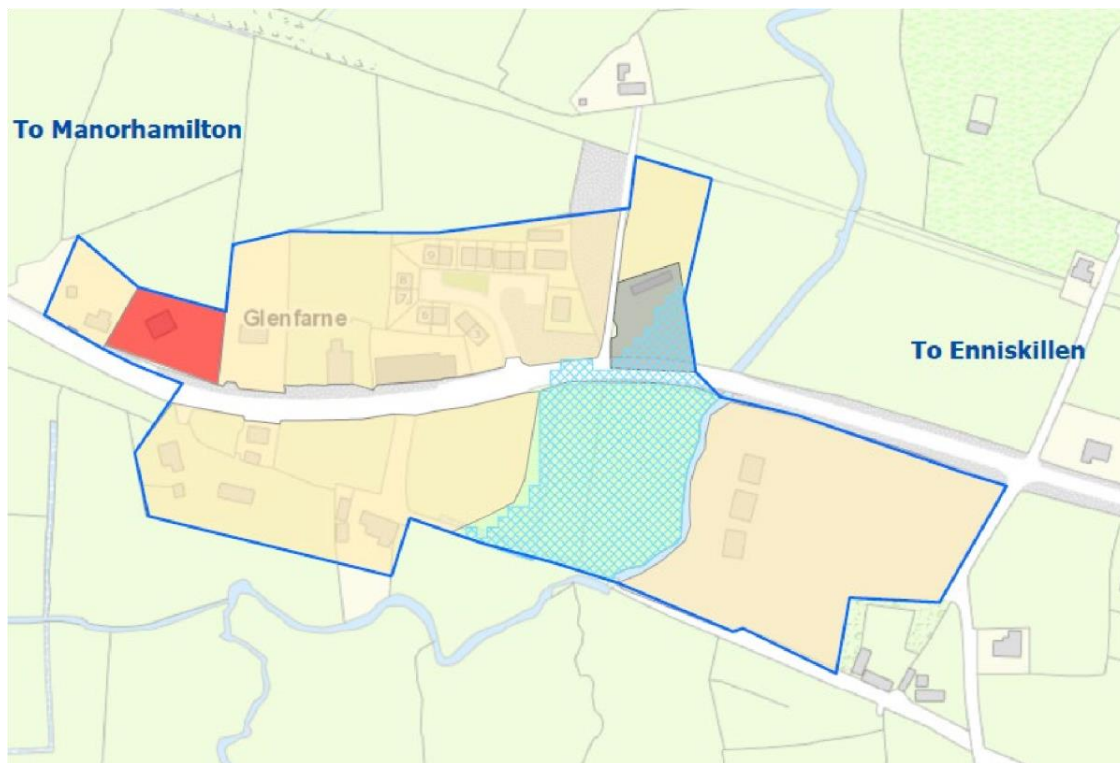
*Seek the satisfactory resolution of the unfinished housing development at Brockagh Lower.*

On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Frank Dolan and **UNANIMOUSLY RESOLVED**

“To extend the development envelop to include the unfinished housing development at Brockagh Lower for General Development purposes (as shown in Figure 2 below)”.

**Figure 2: Amendment to Glenfarne A Land Use Zoning Objectives Map**



On the **Proposal** of Councillor Sean McDermott

**Seconded** by Councillor Frank Dolan and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**GE 10**) on page 109 of the Glenfarne Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*Seek the satisfactory resolution of the unfinished housing development at Brockagh Lower.”*

#### **SUBMISSION NO. 4 CLLR ENDA STENSON**

##### **Proposed Amendment**

With regard to proposed Objective RUR SET POP 3, to change the requirement of a person demonstrating a social need to having lived or living in the local rural area from the stated minimum of 5 years to 18 months. It is considered that this length of time is sufficient for a person to have become an established member of the local rural community.

On the **Proposal** of Councillor Enda Stenson  
**Seconded** by Councillor Sean McGowan

Councillor Enda Stenson said the 18-month period is long enough to determine that a person has become established in a local area.

Mr Bernard Greene, Senior Planner responded as follows:

Similar to the response provided in relation to Amendment No. 1 proposed by Councillor McDermott, Section 3.17 of the proposed draft Leitrim County Development Plan 2023-2029 sets out the Rural Settlement Strategy for the county over the forthcoming plan period. To reiterate, the proposed Rural Settlement Strategy defines two categories of rural areas within the county:

- 1 *'Low Capacity Areas'* – rural areas under strong pressure for urban generated housing, as a result of their proximity to larger settlements such as Carrick-on-Shannon and Sligo as evidenced by analysis of commuter patterns of relevant Electoral Divisions (EDs) based on the 2016 Census and POWSCAR datasets where greater than 15% of resident populations were commuting to these larger urban centres; and
- 2 *'Other Rural Areas'*.

The proposed policy RUR SET POL 3 requires an applicant seeking planning permission within a *'Low Capacity Area'* to demonstrate their social and/or economic need for a rural, one-off house. The requirement to demonstrate such need is only applicable to those areas defined as being *'Low Capacity Areas'*. Applicants for rural housing in the remaining *'Other Rural Areas'* of the county are not required to demonstrate conformity with the social and/or economic need criteria outlined in Policy RUR SET POL 3.

In demonstrating a social need to live in a particular rural area within either of the designated *'Low Capacity Areas'*, the draft Development Plan states that a prospective applicant is required to have lived a substantial period of their lives (a minimum of five years) in the local area of the proposed application site. Local area in this regard is defined as within a radius of approximately 4km from the proposed application site, excluding the defined urban area of Carrick-on-Shannon. Where the proposal site is of a greater distance, but the applicant can demonstrate significant ties with the subject local area (i.e. immediate family or well-established landownership), then such applications will also be considered on their merits.

The above applicant criteria have been developed with regard to the *Sustainable Rural Housing Development Guidelines* (2005) which remain in operation. The guidelines refer to persons who are an intrinsic part of the rural community who have *"spent substantial periods of their lives living in rural areas as members of their established rural community"*.

Notwithstanding, it is acknowledged that the guidelines do not define, in terms of time, what a 'substantial' period is in this regard. Moreover, it is recognised that the current Development Plan does not contain any similarly worded policies for prospective applicants to demonstrate similar requirements by way of a minimum period of time spent in a rural local area although the proposed 5 years period would be reflected within some other County Development Plans.

Given the need to sustain and support our rural communities and in reflection of the policy support contained within the National Planning Framework (National Policy Objective 15 refers), the Planning Authority is conscious of the need to guard against unintended consequences from policies that are unduly restrictive to the sustainable growth of our rural communities. Accordingly, the Planning Authority has no objection to the proposed amendment.

### **Recommendation**

To amend the requirement of a person demonstrating a social need to having lived or living in the local rural area from the stated minimum period of 5 years to 18 months (see strikethrough and amendment in blue font):

**RUR SET POL 3** To accommodate demand from existing members of the rural community for

permanent residential development in **Low Capacity Areas** who have strong links to the area and who are an intrinsic part of the rural community in which planning permission is being sought, subject to normal planning considerations and who satisfy the following criteria:

1. Persons with a demonstrable social need to live in a particular local rural area - Persons who have lived a substantial period of their lives in the local rural area<sup>12</sup> (minimum ~~5 years~~ **18 months**) in which the house is proposed.
2. Persons with a demonstrable economic need to live in the particular local rural area – Persons employed full-time in rural-based activity such as farming, horticulture, forestry, bloodstock or other rural-based activity in the area in which they wish to build or whose employment is intrinsically linked to the rural area in which they wish to build, such as teachers in rural schools or other persons who by the nature of their work have a functional need to reside permanently in the rural area close to their place of work, provided that they have never owned a house in a rural area.

All applicants for one-off rural housing will need to demonstrate compliance with the qualifying criteria of one of the above two categories unless otherwise specified as being located within an area where this Rural Housing Policy does not apply.

On the **Proposal** of Councillor Enda Stenson

**Seconded** by Councillor Sean McGowan **AND RESOLVED**

“To amend the requirement of a person demonstrating a social need to having lived or living in the local rural area from the stated minimum period of 5 years to 18 months:

**RUR SET POL 3** To accommodate demand from existing members of the rural community for

permanent residential development in **Low Capacity Areas** who have strong links to the area and who are an intrinsic part of the rural community in which planning permission is being sought, subject to normal planning considerations and who satisfy the following criteria:

1. Persons with a demonstrable social need to live a particular local rural area - Persons who have lived a substantial period of their lives in the local rural area<sup>12</sup> (minimum *18 months*) in which the house is proposed.
2. Persons with a demonstrable economic need to live in the particular local rural area – Persons employed full-time in rural-based activity such as farming, horticulture, forestry, bloodstock or other rural-based activity in the area in which they wish to build or whose employment is intrinsically linked to the rural area in which they wish to build, such as teachers in rural schools or other persons who by the nature of their work have a functional need to reside permanently in the rural area close to their place of work, provided that they have never owned a house in a rural area.

All applicants for one-off rural housing will need to demonstrate compliance with the qualifying criteria of one of the above two categories unless otherwise specified as being located within an area where this Rural Housing Policy does not apply.”

Councillor Des Guckian said he was opposing this amendment as it would let speculators into the county and the proposed amendment could be subject to abuse.

Cathaoirleach, Councillor Paddy O’Rourke called for a seconder for the counter proposal. In the absence of a seconder for Cllr Guckian’s counter proposal, the first proposal was carried.

## **SUBMISSION NO. 5 CLLR ENDA MCGLOIN**

### **Proposed Amendment 1**

I propose that in the footnote on the bottom of page 54 and under RUR SET POL 3 to amend the footnote to recognise persons who are either a son or daughter of a landowner in which the house is proposed in which the landholding (as opposed to a site) is owned (or in the family name) for at least 10 years. This would acknowledge the existence of out farms removed from the family home and principal land holding but which an applicant has direct ties to.

On the **Proposal** of Councillor Enda McGloin  
**Seconded** by Councillor Padraig Fallon

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority have no objection to the proposed amendment.

### **Recommendation**

To amend the footnote relating to **RUR SET POL 3** on the bottom of page 54 (Section 3.17 Rural Settlement Strategy) of the Written Statement (Volume I of the Draft Plan) to read as follows (amendment in blue text):

Local area is defined as within approximately a radius of 4km from the site, excluding defined urban areas (which relate only to the Carrick on Shannon development envelop containing land use zoning objectives). Where the site is of a greater distance, but the applicant can demonstrate significant ties with the area for example immediate family or well-established landownership, then these applications will be considered on their merits. This recognises applicants who are either a son or daughter of a landowner in which the house is proposed in which the landholding (as opposed to a site) is owned (or in the family name) for at least 10 years.

On the **Proposal** of Councillor Enda McGloin  
**Seconded** by Councillor Padraig Fallon **AND UNANIMOUSLY RESOLVED**

“To amend the footnote relating to **RUR SET POL 3** on the bottom of page 54 (Section 3.17 Rural Settlement Strategy) of the Written Statement (Volume I of the Draft Plan) to read as follows:

Local area is defined as within approximately a radius of 4km from the site, excluding defined urban areas (which relate only to the Carrick on Shannon development envelop containing land use zoning objectives). Where the site is of a greater distance, but the applicant can demonstrate significant ties with the area for example immediate family or well-established landownership, then these applications will be considered on their merits. This recognises applicants who are either a son or daughter of a landowner in which the house is proposed in which the landholding (as opposed to a site) is owned (or in the family name) for at least 10 years.”



## SUBMISSION NO. 5 CLLR ENDA MCGLOIN

### Proposed Amendment 2

*for inclusion under rural set policy 11/12*

I propose that Leitrim County Council Planning Department will provide a detailed report within one year of the County Development Plan taking effect of all potential serviced or serviceable sites within villages and possibly graigs that are considered suitable for low density housing proposals.”

On the **Proposal** of Councillor Enda McGloin  
**Seconded** by Councillor Enda Stenson

Mr Bernard Greene, Senior Planner responded as follows:-

The Planning Authority have no objection to the thrust of the proposed amendment. It is considered that an additional statement in relation to the provision of wastewater treatment should be included.

Mr Bernard Greene said Glenfarne is to include Sranagross and West Barrs.

### **Recommendation**

To include the following objective (**RUR SET OBJ 6**) in the Written Statement (Volume I of the Draft Plan) in Section 3.17 Rural Settlement Strategy as follows:

*The Planning Authority shall provide a detailed report within one year of this County Development Plan coming into effect identifying all potential sites within villages and possibly graigs that are considered suitable to accommodate low density housing proposals. Where there is an issue in relation to the provision of piped wastewater treatment in villages (Glenfarne, Kilclare and Rossinver) and in graigs, the Council will pursue the resolution of such constraints in conjunction with Irish Water and seek to explore appropriate funding measures for same.*

Councillor Des Guckian queried what is the aim of this and what will the Council do in the long term.

Mr Greene said the identification of such low density sites in villages and graigs will give the

Planning Authority a basis for discussions with Irish Water to provide water and waste water services to these sites within the life of the Plan.

Mr Greene said the Planning Authority will identify such suitable sites serviced by Irish Water and other bodies and work with landowners to develop these sites

On the **Proposal** of Councillor Enda McGloin

**Seconded** by Councillor Enda Stenson **AND UNANIMOUSLY RESOLVED**

“To include the following objective (**RUR SET OBJ 6**) in the Written Statement (Volume I of the Draft Plan) in Section 3.17 Rural Settlement Strategy as follows:

*The Planning Authority shall provide a detailed report within one year of this County Development Plan coming into effect identifying all potential sites within villages and possibly graigs that are considered suitable to accommodate low density housing proposals. Where there is an issue in relation to the provision of piped wastewater treatment in villages (Glenfarne, Kilclare and Rossinver) and in graigs, the Council will pursue the resolution of such constraints in conjunction with Irish Water and seek to explore appropriate funding measures for same”.*

#### **SUBMISSION NO. 5 CLLR ENDA MCGLOIN**

##### **Proposed Amendment 3**

Leitrim County Council acknowledges the provision of serviced sites in most villages and graigs in the County and encourages persons who wish to build a house in their native parish area and where their opportunities for a site development on their own family lands is diminished to consider engaging with landowners of serviced land suitable for development and explore every opportunity to remain living within their own parish/village therefore helping to sustain the future viability of areas of the county with falling population.

On the **Proposal** of Councillor Enda McGloin

**Seconded** by Councillor Felim Gurn

##### **Proposed Amendment 4**

Leitrim County Council planning department encourages landowners of serviced lands to consider providing every opportunity possible to persons from their own community to build a home.

On the **Proposal** of Councillor Enda McGloin

**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

It is considered that the proposed amendment no's 3 & 4 in the name of Cllr Enda McGloin are linked and can be responded to together. Whilst the Planning Authority has no objection to the thrust of the submitted narrative, it is not considered that the inclusion of such statements would necessarily make it easier for persons to acquire serviced sites within villages. It is considered that RUR SET OBJ 1, 2 and 5 are adequate to provide for the intentions of this proposed amendment. It will require active land management measures being pursued by Leitrim County Council to ensure that where a demonstrated demand exists and where attempts to acquire such sites have failed that the Council become directly involved in the delivery of serviced sites subject to the availability of the necessary funding and resources.

It is considered that the wording of RUR SET OBJ 1 could be reinforced to strengthen the intention of the Local Authority in this regard.

#### **Recommendation**

To include an additional objective (**RUR SET OBJ 7**) in the Written Statement (Volume I of the Draft Plan) in Section 3.17 Rural Settlement Strategy as follows:

*To pursue active land management measures by Leitrim County Council in the delivery of serviced sites to ensure that where a demonstrated demand exists and where attempts have failed by perspective applicants to acquire such sites. The pursuit of such active land management measures is subject to the availability of the necessary funding and resources being available and the confirmation of the availability of necessary piped water services or acceptable means of treating wastewater in an environmentally acceptable manner. The realisation of this objective may require a prioritisation being agreed of certain centres progressing ahead of others.*

On the **Proposal** of Councillor Enda McGloin

**Seconded** by Councillor Felim Gurn **AND UNANIMOUSLY RESOLVED**

“To include an additional objective (**RUR SET OBJ 7**) in the Written Statement (Volume I of the Draft Plan) in Section 3.17 Rural Settlement Strategy as follows:

*To pursue active land management measures by Leitrim County Council in the delivery of serviced sites to ensure that where a demonstrated demand exists and where attempts have failed by perspective applicants to acquire such sites. The pursuit of such active land management measures is subject to the availability of the necessary funding and resources being available and the confirmation of the availability of necessary piped water services or acceptable means of treating wastewater in an environmentally acceptable manner. The realisation of this objective may require a prioritisation being agreed of certain centres*

*progressing ahead of others.”*

## **SUBMISSION NO. 6 CLLR JUSTIN WARNOCK**

### **Proposed Amendment 1**

That the site adjoining the former National School on the N15 be changed from its proposed *Agriculture* zoning to *Mixed Use* to allow suitable development proposals be considered over the life of the Development Plan.

On the **Proposal** of Councillor Justin Warnock  
**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

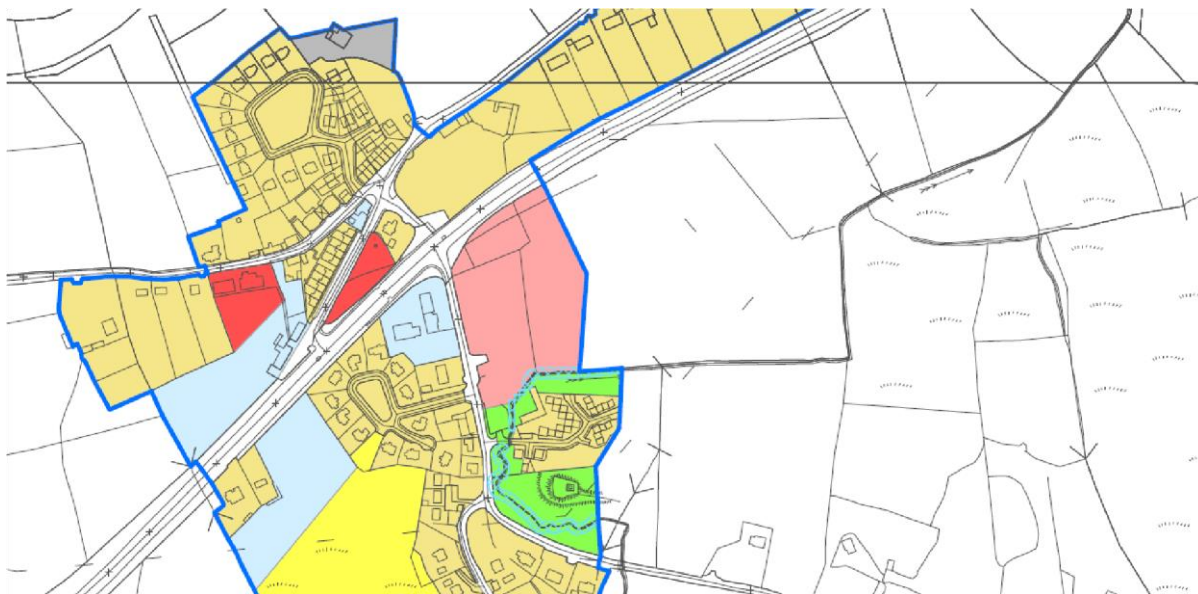
The Planning Authority has no objection to this proposed amendment. The site is considered to be an infill site off the N15 National Primary Road and is opposite similarly zoned lands for Mixed Use purposes.

The site has an area of 1.035 hectares. As Mixed Use can also provide for Residential Use, it must be accounted for in the Core Strategy Table (Table 2.6 refers). The appropriate density is 15 no. units per hectare and the potential yield from this site could be of the order of 16 no. units. This would bring the overall potential yield for Tullaghan to 46 no. units which is considerably higher than the allocation of 24 no. household units to the village in the Core Strategy. However, it is known that an application is being prepared presently for the completion of Aigean Croith housing development to provide for an additional 12 no. houses in line with the original design and density of the scheme. In comparison, the potential yield from this site is 30 no. units as shown in the Core Strategy table. It is not therefore considered that the inclusion of this site would present a concern for the Planning Authority. It would also be considered appropriate to amend the potential yield from the site from 30 no. units to 12 no. units. The net effect would be that the potential yield from the combined lands in Tullaghan is 28 no. units. Therefore the overall housing provision anticipated remains in line with the thrust of the Core Strategy as developed.

### **Recommendation**

1. To amend the proposed '*Agriculture*' land use zoning objective on the site to the immediate north-east of the former National School to '*Mixed Use*' on the *Tullaghan Land Use Zoning Objectives Map*. (as shown in Figure 3 below)

**Figure 3: Amended Tullaghan Land Use Zoning Objectives Map**



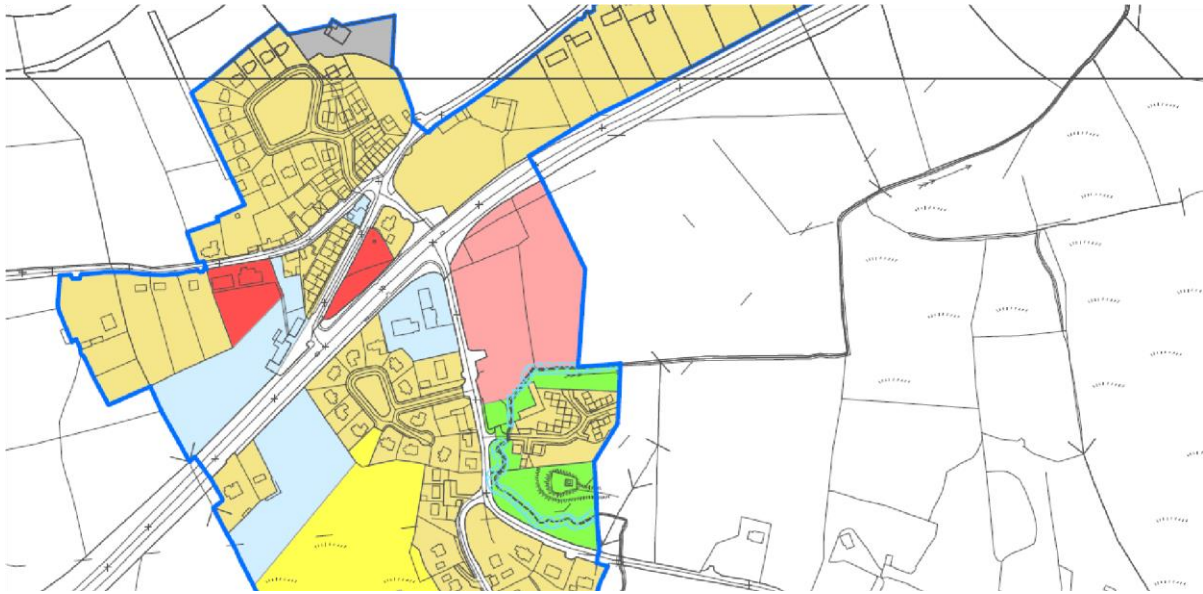
2. An amendment to the Core Strategy Table (Table 2.6 refers) of the Written Statement (Volume I) of the Draft Plan in Section 3.17 Rural Settlement Strategy indicating the potential yield from these additional Mixed Use lands will also be included as outlined in the response above in addition to clarifying the yield from the site identified for 'Residential' land use.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Sean McDermott **AND UNANIMOUSLY RESOLVED**

"To amend the proposed 'Agriculture' land use zoning objective on the site to the immediate north-east of the former National School to 'Mixed Use' on the *Tullaghan Land Use Zoning Objectives Map*. (as shown in Figure 3 below) ".

**Figure 3: Amended Tullaghan Land Use Zoning Objectives Map**



On the **Proposal** of Councillor Justin Warnock  
**Seconded** by Councillor Felim Gurn **AND UNANIMOUSLY RESOLVED**

“An amendment to the Core Strategy Table (Table 2.6 refers) of the Written Statement (Volume I) of the Draft Plan in Section 3.17 Rural Settlement Strategy indicating the potential yield from these additional Mixed Use lands will also be included as outlined in the response above in addition to clarifying the yield from the site identified for ‘Residential’ land use.”

#### **SUBMISSION NO. 6 CLLR JUSTIN WARNOCK**

##### **Proposed Amendment 2**

That a suitably sized site be identified within the speed limit confines and close to or adjoining the N15 for Enterprise & Employment use.

On the **Proposal** of Councillor Justin Warnock  
**Seconded** by Councillor Padraig Fallon

Councillor Justin Warnock sought queried why access to the site identified could not be directly from the N15, and if IDA did focus on this area, can the area be extended during the life of the Plan.

Mr Bernard Greene, Senior Planner responded as follows:-

The Planning Authority acknowledges that the location of Tullaghan on the N15 National Primary Route enhances its strategic location for accommodating potential employment

uses. In this regard, the Planning Authority has no objection to the provision of *'Employment and Enterprise'* lands within the proposed *Tullaghan Land Use Zoning Objectives Map* to cater for any potential compatible land use in the settlement over the lifetime of the forthcoming Plan. It is considered that the identification of such a site is appropriate to the positioning of Tullaghan as a Key Village in the overall Settlement Hierarchy.

In this regard, the lands located at the junction of the N15 and the L-2063 (currently proposed as *'Agriculture'* in the proposed *Tullaghan Land Use Zoning Objectives Map*) are identified as suitable lands to accommodate such potential land uses owing to their location within the speed limit confines (i.e. within the 50kmph zone) with the potential for direct access onto the L-2063 without giving rise to any adverse impacts on the strategic importance of the N-15 route.

### **Recommendation**

To amend the proposed *'Agriculture'* land use zoning objective on the site at the junction of the N-15 and L-2063 road network to *'Enterprise and Employment'* on the *Tullaghan Land Use Zoning Objectives Map*. (as shown in Figure 3 on previous page)

Councillor Justin Warnock welcomed that this area would now be zoned *Employment and Enterprise*.

Mr Bernard Greene said the site most suitable was at the junction of the local road L-2603 and the N15. Access to the site from the local road could be facilitated through the planning permission process locally. If access directly on to the N15 is sought, this would have to be subject to the approval of the TII.

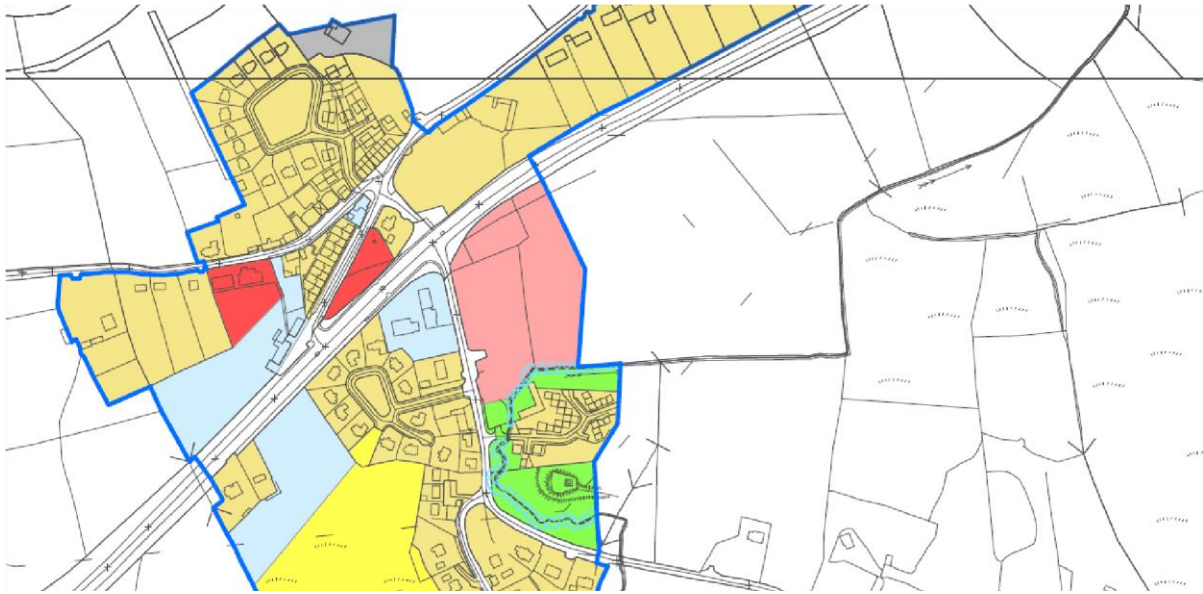
Adequate lands have been identified and if development happens in the future and the site needs to be extended, it can go through a variation process.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Padraig Fallon **AND UNANIMOUSLY RESOLVED**

"To amend the proposed *'Agriculture'* land use zoning objective on the site at the junction of the N-15 and L-2063 road network to *'Enterprise and Employment'* on the *Tullaghan Land Use Zoning Objectives Map*. (as shown in Figure 3 below)





**SUBMISSION NO. 7 CLLR MARY BOHAN**

**Proposed Amendment 1**

Include the provision of a walkway from Drumkeeran village to the Waterways Ireland amenity at Spencer Harbour.

On the **Proposal** of Councillor Mary Bohan  
**Seconded** by Councillor Pdraig Fallon

Mr Bernard Greene, Senior Planner responded as follows:

This proposal has also been submitted by Cllr. Fallon (Submission No. 2 – Proposed Amendment 3).

On the **Proposal** of Councillor Pdraig Fallon  
**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“That a specific objective (**BG OBJ 10**) be included in the Written Statement (Volume I of the Draft Plan) in Section 8.9 Blueways and Greenways as follows:



*To support and facilitate the development of a greenway linking Spencer Harbour to Drumkeeran subject to obtaining the necessary planning consent and where it can be demonstrated that the development will not have significant adverse effects on the environment, including the integrity of the Natura 2000 network. All proposed developments shall be in accordance with the Birds and Habitats Directives, Water Framework Directive and all other relevant EU Directives”.*

## **SUBMISSION NO. 7 CLLR MARY BOHAN**

### **Proposed Amendment 2**

Extend the public lighting on the R280 past the amenity site/playground on the Carrick Road.

On the **Proposal** of Councillor Mary Bohan  
**Seconded** by Councillor Pdraig Fallon

Mr Bernard Greene, Senior Planner responded as follows:-

The need for the inclusion of this objective is accepted. It is recommended that a specific objective be included in the Drumkeeran Settlement Plan in this regard.

### **Recommendation**

To include the following new objective (**DN 9**) on page 92 of the Drumkeeran Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To provide for the extension of public lighting along the stretch of the R280 Regional Road to include all lands identified within the land use zoning objectives map.*

Councillor Mary Bohan asked that the public lighting would be extended beyond the amenity area.

Mr Greene said it would be extended beyond the amenity site.

On the **Proposal** of Councillor Mary Bohan  
**Seconded** by Councillor Pdraig Fallon and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**DN 9**) on page 92 of the Drumkeeran Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To provide for the extension of public lighting along the stretch of the R280 Regional Road to*

*include all lands identified within the land use zoning objectives map.”*

## **SUBMISSION NO. 7 CLLR MARY BOHAN**

### **Proposed Amendment 3**

Include the provision of a walkway from Drumkeeran to Corry Strand. This could be accommodated by using the L8249-2 from Drumkeeran to Kilbride Cemetery at Corry.

On the **Proposal** of Councillor Mary Bohan  
**Seconded** by Councillor Pdraig Fallon

Councillor Mary Bohan said this area was used extensively particularly during Covid by young people and she said a walkway would be beneficial and essential.

Mr Bernard Greene, Senior Planner responded as follows:

A walkway from Drumkeeran to Corry Strand can be investigated but delineating a route as part of this Plan is considered premature. This project must consider landowner interests, public rights of way, engineering and environmental assessments. An appropriately worded objective is suggested.

### **Recommendation**

To include the following new objective (**DN 8**) on page 92 of the Drumkeeran Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To investigate the provision of a suitable walkway linking Drumkeeran to Corry Strand.*

On the **Proposal** of Councillor Mary Bohan  
**Seconded** by Councillor Pdraig Fallon and **UNANIMOUSLY RESOLVED**

“To include the following new objective (**DN 8**) on page 92 of the Drumkeeran Settlement Plan (Volume II Draft Leitrim County Development Plan 2023-2029):

*To investigate the provision of a suitable walkway linking Drumkeeran to Corry Strand”.*

## SUBMISSION NO. 7 CLLR MARY BOHAN

### Proposed Amendment 4

#### Section 2.8 – Rural Housing - Water waste treatment options

As we are all aware the agricultural lands of Leitrim are made up of heavy soils with poor natural drainage, this has been and is a significant farming disadvantage for generations of Leitrim people but now we find that our poor land is also preventing our young people from building their homes in our county. The technical reference document which governs the design and construction of wastewater treatment facilities is the EPA Code of Practice for domestic house (PE <10). This document currently states that if a site has a T value or greater than 120 the site fails and has two options (Fig 1.1) A. The site is unsuitable for development or B. The site should under section 6.7 look at site improvement works. I am requesting that Leitrim Co. Co. as the Local Authority would create a design template for such site improvement works or allow Qualified Site Assessors to submit site improvement proposals as part of a pre planning submission to allow orderly rural development to recommence.

On the **Proposal** of Councillor Mary Bohan

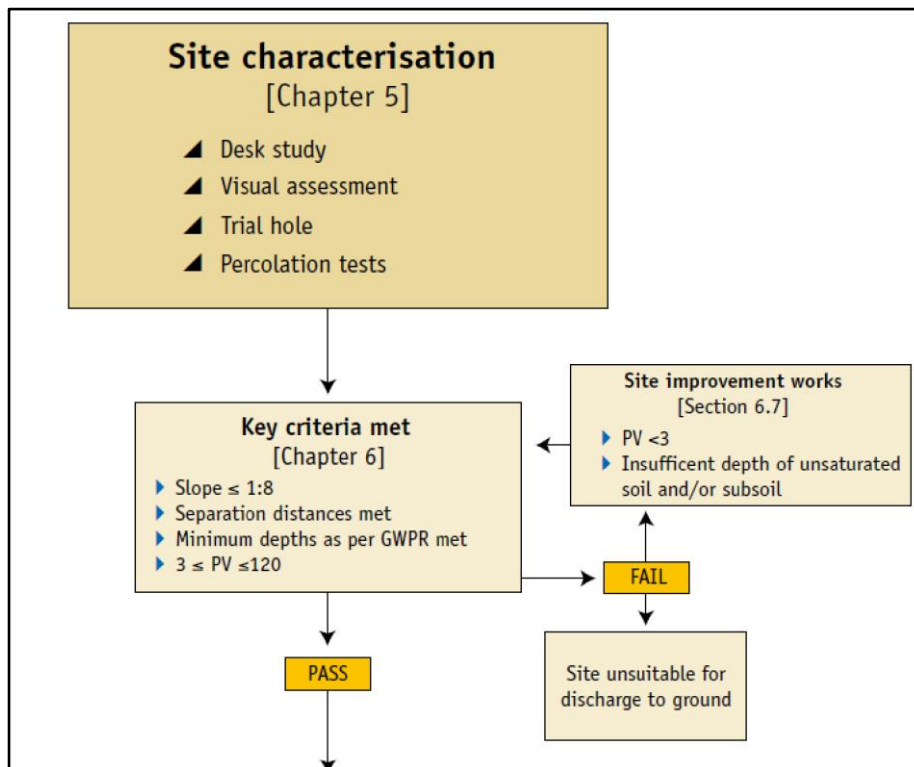
**Seconded** by Councillor Sean McDermott

Councillor Mary Bohan said she has spoken with Planning agents on this matter. Councillor Bohan said every attempt to try and assist people with planning applications for one off housing must be made and she highlighted that many people are very frustrated with the difficulties that exist. Councillor Bohan said she felt the wording of her motion would help to address the issue.

Mr Bernard Greene, Senior Planner responded as follows:

The Environmental Protection Agency (EPA) Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ) was produced in March of last year taking effect from June 7<sup>th</sup> last. It replaced the previous version of the Code of Practice which was produced in 2009. Its purpose is to provide guidance on domestic waste water treatment systems (DWWTSs) for single houses or equivalent developments with a population equivalent (PE) of less than or equal to 10. It sets out a methodology for site assessment and selection, installation and maintenance of an appropriate DWWTS.

**Figure 4: Stages in selection, installation and operation of a DWWTS discharging to ground**



**Source:** Figure 1.1 Environmental Protection Agency (EPA) Domestic Waste Water Treatment Systems (Population Equivalent ≤10)

It is considered important to include Figure 1.1 from the Code of Practice referred to in the submission. An extract from this Figure is included (Figure 4 of this report). The flow chart diagram indicates that where the key characterisations arising from the Site Characterisation have not been met, that the site fails. In a Co. Leitrim context, this would be expected to be on the basis that the percolation rate is too slow, and the resultant rate is greater than (>) 120.

The figure indicates that Site Improvement Works can be considered in an instance where there is an insufficient depth of unsaturated soil and / or subsoil. If following the undertaking of such Site Improvement Works and the site then passes the key criteria of the Site Characterisation process, the assessment moves onto the next stage which is the design and installation of an appropriate domestic wastewater treatment system.

Section 6.4 'Interpreting the Trial Hole Test Results for Required Minimum Depths' states *"If there is less than 0.5 m depth of unsaturated soil and/or subsoil, site improvement works (see Section 6.7) may potentially be suitable. The site must be proven as able to assimilate the waste water loadings from the relevant dwelling in such cases"*.

Section 6.5 'Interpreting the Percolation Values of the Soil and Subsoil' states *"If the*

*percolation value is greater than 120, the site is unsuitable for a DWWTS discharging to ground. Discharge to surface water may be an alternative but requires a Water Pollution Act licence from the local authority."*

Section 6.7 does indeed identify Site Improvements Works which may be considered. The actual wording from the Code of Practice is attached overleaf. The guidance is clear that in many cases site improvement works will still not be sufficient to enable the site to be used for a system incorporating discharge to ground. It is not acceptable to provide the entire percolation area for a system out of imported soil. This area becomes saturated over time resulting in ponding of greywaters at the surface. Section 6.5 is quite clear that if the percolation value >120, the site is unsuitable for discharge from a DWWTS to ground.

It is not considered appropriate for a Local Authority to create a template for such improvement works. A site specific characterisation report is required in each and every instance. It is the role and indeed responsibility of the accredited Site Assessor to undertake the Site Characterisation assessment within the stated parameters of the Code of Practice to determine whether a design solution which adheres to the criteria set out in the Code can be met. It is the role of the Local Authority through the Planning and Environment Departments in the assessment of individual planning applications to ensure that the proposal adheres to the criteria stated in the Code of Practice. The Code of Practice states that where site improvement works are being proposed on any site, it is recommended to consult the Local Authority before such works commence. These consultations will be with the Environment Department.

It is not therefore considered appropriate for the draft Development Plan to interpret the provisions of the EPA Code of Practice nor to assume the role of accredited Site Assessor. The policy framework contained in the draft Development Plan requires that the standards of the Code of Practice is met in order for a development to proceed dependant on a standalone wastewater treatment system. The Planning Authority does not therefore support the submission.

#### **Figure 5: Section 6.7 Site Improvement Works**

## 6.7 Site Improvement Works

In certain circumstances, a site that is intended for a single house development will present particular difficulties arising out of the site assessment, and the in situ soil and/or subsoil will not have the conditions necessary for discharge to ground. Some sites may have a high water table, or an insufficient subsoil depth owing to bedrock close to the surface, or a layer of unsuitable subsoil (at the surface, different to that at depth) for the purposes of treatment and percolation of the pre-treated waste water from a tank or plant. It may be possible in some such cases to render the site suitable for development after carrying out specific engineering works known as 'site improvement works'.

It should be noted that the importation of suitable soils and/or subsoils for the construction of any component of a percolation area, polishing filter, low-pressure pipe distribution system or drip dispersal system within a DWWTS where a site has been deemed suitable for discharge to ground, including those that may form part of raised percolation areas, raised polishing filters or other mound systems, is not classed as site improvement works.

Site improvement works should be carried out only under the supervision of an appropriately trained and qualified person, as such works are technically difficult to carry out correctly. Detailed design procedures appropriate for site improvement works are available in drainage manuals (e.g. Mulqueen *et al.*, 1999). In many cases site improvement works will still not be sufficient to enable the site to be used for a system incorporating discharge to ground.

When importing soils and/or subsoils onto sites as part of either site improvement works or the construction of a DWWTS, it is necessary to perform testing of each 300 mm layer while the process of emplacing lifts of soil progresses. After each lift is placed, percolation tests should be carried out. A 150 mm square hole is excavated to a depth of 150 mm in the placed soil. After pre-soaking to completely wet the soil, 0.5 litres of water is poured into the hole and the time in minutes for the water to soak away is recorded. This time should be between 10 minutes and 2 hours.

Examples of sites where site improvement works will not be acceptable are:

- ▲ sites where the slope exceeds 1:8;
- ▲ sites where the average percolation value from the three conducted tests is greater than 120, indicating a high risk of ponding;
- ▲ sites where separation distances cannot be satisfied.

If site improvement works are being proposed on any site, it is recommended to consult the local authority before such works commence.

**Source:** Figure 1.1 Environmental Protection Agency (EPA) Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )

### Recommendation

No amendment to the draft Development Plan is recommended on foot of this submission.

Mr Joseph Gilhooly, Director of Services said it is the duty, and indeed the responsibility, of the accredited Site Assessor to undertake the site characterisation assessment, within the stated parameters of the Code of Practice, to determine whether a design solution which adheres to the criteria set out in the Code can be met. It is the role of the Local Authority through the Planning and Environment Departments in the assessment of individual planning applications to ensure that the proposal adheres to the criteria stated in the Code of Practice. The Code of Practice states that where site improvement works are being proposed on any site, it is recommended to consult the Local Authority before such works commence. These

consultations will be with the Environment Department.

Councillor Mary Bohan thanked Bernard Greene and Joseph Gilhooly for all their help in this regard and she accepted the reply and said every effort must be made to assist the applicant if possible, and she emphasised the importance of facilitating people, where possible, and she accepted the reply in good faith.

On the **Proposal** of Councillor Mary Bohan

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

“That no amendment to the draft Development Plan is recommended on foot of this submission.

The meeting adjourned at this stage for 30 minutes for lunch from 1 pm to 1.30 pm.

#### **SUBMISSION NO. 8 - CLLR. JUSTIN WARNOCK**

##### **Proposed Amendment 3**

Leitrim County Council recognises the contribution that farmers and farm families make to the social and economic fabric of our county and acknowledge the fact that 1 in every 9 people in Leitrim has a herd number and engage in various types of farming practices.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Gerry Dolan

Mr Bernard Greene, Senior Planner responded as follows:

Chapter 10 of the proposed draft Plan addresses the theme of Rural Development and contains a number of contextual and policy support references to the importance of agriculture in the county. Particular reference is given to the importance of agriculture in terms of its role in the overall rural economy (Sections 10.4 and 10.5 of the proposed draft Plan refer). Notwithstanding, the Planning Authority has no objection to further references to the importance of farming practices and farmers to the overall social and economic fabric of the county in the proposed draft Plan.

#### **Recommendation**

To insert the following text in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

*Leitrim County Council recognises the significant contribution that farming as a practice and the farming community as a whole make to the overall social and economic fabric of our county. This is reflected in the significant farming participate rate within the county. Moreover, this Draft Plan acknowledges the significant*



*inroads in farming diversification within the county in recent years through the engagement of various farming practices.*

Councillor Justin Warnock said this recommendation is to be welcomed.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Gerry Dolan and **UNANIMOUSLY RESOLVED**

“To insert the following text in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

*Leitrim County Council recognises the significant contribution that farming as a practice and the farming community as a whole make to the overall social and economic fabric of our county. This is reflected in the significant farming participate rate within the county. Moreover, this Draft Plan acknowledges the significant inroads in farming diversification within the county in recent years through the engagement of various farming practices.”*

#### **SUBMISSION NO. 8 CLLR. JUSTIN WARNOCK**

##### **Proposed Amendment 4**

Recognition that Leitrim has a long tradition of livestock trading and continues to have active livestock marts in Manorhamilton, Drumshanbo, Mohill and Carrigallen for selling cattle, sheep and horses. These marts are a source of employment and also an important economic driver in their perspective towns.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Gerry Dolan

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority has no objection to the inclusion of supporting text reflecting the proposed amendment.

#### **Recommendation**

To insert the following text in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

*Moreover, Leitrim has a long tradition of livestock trading throughout the county with a number of active livestock marts in Manorhamilton, Drumshanbo, Mohill and Carrigallen facilitating the buying and selling of cattle, sheep and horses on a regular basis. Such livestock marts are recognised as a key economic driver in their*



*respective locations providing a stable source of direct employment through employees of the marts but also indirectly through service providers within these mart towns to cater for participating farmers and livestock traders.*

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Gerry Dolan and **UNANIMOUSLY RESOLVED**

“To insert the following text in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

*Moreover, Leitrim has a long tradition of livestock trading throughout the county with a number of active livestock marts in Manorhamilton, Drumshanbo, Mohill and Carrigallen facilitating the buying and selling of cattle, sheep and horses on a regular basis. Such livestock marts are recognised as a key economic driver in their respective locations providing a stable source of direct employment through employees of the marts but also indirectly through service providers within these mart towns to cater for participating farmers and livestock traders.”*

#### **SUBMISSION NO. 8 - CLLR. JUSTIN WARNOCK**

##### **Proposed Amendment 5**

That Leitrim County Council supports and encourages the participation and development of careers in agriculture for our young people and supports the progression of land leasing and farm partnership schemes.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority has no objection to the proposed amendment.

#### **Recommendation**

To insert the following policy (**AGR POL 6**) in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

**AGR POL 6** *To support and encourage the participation and development of careers in agriculture for our young people and supports the progression of land leasing and farm partnership schemes.*

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

“To insert the following policy (**AGR POL 6**) in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

***AGR POL 6** To support and encourage the participation and development of careers in agriculture for our young people and supports the progression of land leasing and farm partnership schemes”.*

#### **SUBMISSION NO. 8 CLLR. JUSTIN WARNOCK**

##### **Proposed Amendment 6**

That Leitrim County Council would encourage organic farming which attracts a premium reward for the produce, and which would complement most of the extensive types of farming practices in this county.

On the **Proposal** of Councillor Justin Warnock  
**Seconded** by Councillor Felim Gurn

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority would indicate that the existing draft Plan includes the existing policies which acknowledge, encourage and support organic farming in Co. Leitrim:

***RUR ECON OBJ 5** To support and promote certified organic farming and producers operating in the county including the facilitation of farmer’s markets at appropriate locations.*

***AGR POL 2** To support and facilitate farm diversification including enterprise creation opportunities (added value food, renewable energy, etc.), organic food and agritourism enterprises including visitor accommodation and related activities such as open farms and health farms across the county subject to the retention of the holding for primarily agricultural use and the proper planning and sustainable development of the area.*

Whilst the Planning Authority has no objection to the thrust of the proposed amendment, it is respectfully considered that the existing Policy Framework outlined above is more than adequate in this regard.

#### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Felim Gurn and **UNANIMOUSLY RESOLVED**

“That no amendment to the draft Development Plan is recommended on foot of this submission.”

#### **SUBMISSION NO. 8 - CLLR. JUSTIN WARNOCK**

##### **Proposed Amendment 7**

That Leitrim County Council recognises the role agriculture plays in this county and in 2019 included Agriculture as part of a Special Policy Committee with Environment and Climate Action. More recently the Leitrim Sustainable Agriculture Group (LSAG) was set up to promote environmental and sustainable farming practices in Leitrim. The group has 35 farmer members from a variety of farming enterprises in Leitrim and is currently engaged in training on water quality and biodiversity issues and the long term goal is to make Leitrim farms viable and sustainable whilst enhancing the environment in which we live.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority has no objection to further references to the suggested items in the proposed draft Plan.

##### **Recommendation**

To insert the following text in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

*In recognition of the key role agriculture plays in the social and economic fabric of the county, agriculture formed a key element of the Special Policy Committee (SPC) Scheme 2019 – 2024 adopted by Leitrim County Council in 2019. Agriculture has been included as part of a dedicated SPC along with the complementary themes of environment and climate action in delivering more sustainable practices. In this regard, notable advances in sustainable agricultural development have taken place in the county. For example, the Leitrim Sustainable Agriculture Group (LSAG) was set up to promote environmental and sustainable farming practices in Leitrim. The group currently has 35 no. farming members from a variety of farming enterprises in Leitrim and is currently engaged in training on water quality and*

*biodiversity issues and the long term goal is to make Leitrim farms viable and sustainable whilst enhancing the environment in which we live.*

Councillor Justin Warnock referred to the Environment, Climate Action and Agriculture SPC and the worthwhile work that is being undertaken in this area.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Mary Bohan and **UNANIMOUSLY RESOLVED**

“To insert the following text in Section 10.5 Agriculture of the Written Statement (Volume I) of the proposed Draft Leitrim County Development Plan 2023-2029:

*In recognition of the key role agriculture plays in the social and economic fabric of the county, agriculture formed a key element of the Special Policy Committee (SPC) Scheme 2019 – 2024 adopted by Leitrim County Council in 2019. Agriculture has been included as part of a dedicated SPC along with the complementary themes of environment and climate action in delivering more sustainable practices. In this regard, notable advances in sustainable agricultural development have taken place in the county. For example, the Leitrim Sustainable Agriculture Group (LSAG) was set up to promote environmental and sustainable farming practices in Leitrim. The group currently has 35 no. farming members from a variety of farming enterprises in Leitrim and is currently engaged in training on water quality and biodiversity issues and the long term goal is to make Leitrim farms viable and sustainable whilst enhancing the environment in which we live.”*

#### **SUBMISSION NO. 9 - CLLR. SEAN MCGOWAN**

##### **Proposed Amendment**

I was thinking about the site where the permission was granted for a Nursing home some years ago at the front of Bofin Avenue Housing Estate that the Council have now proposed to put in as Open Space & Amenity for the Co. Development Plan 2023 - 2029. Could I suggest that you leave the site as is in the current Co. Development Plan as Residential Reserve Support? The reason that water lodges there and (there is water there as I write this email) and is described as a flood plain where the water is slow to get away is that a lot

of the ground was dug away to raise ground elsewhere. In olden times before Bofin Avenue and the Houses along the road on the right hand side as you go down to the Harbour were built, this particular area didn't flood, the flooding took place mainly down along the bottom half of where the houses are built in Bofin Avenue.

As you know there are flood defences planned for that area of the village as part of the CFRAMS plan for Dromod, It is planned to spend upwards on €1.8 million on the works there, design work will commence in 2023 and works to start in 2024 and be complete in 2027, also there is ongoing work on the removal of pinch points along the Shannon which will help the flow of the river.

In the three maps you showed and I looked at them again today of the potential flooding risk in the village, one of the maps had no flooding at all in **that area** it was the 1 in 100 year map showing the risk of flooding in Dromod.

Could Housing Development not take place there if the area was piled, also the sewerage runs through the site as there are two manholes in the field so the services are close by?

Maybe the top half of the site could be used for Housing Development, by top half I mean area nearest main Street & the rest for open Space & Amenity?

On the **Proposal** of Councillor Sean McGowan  
**Seconded** by Councillor Enda Stenson

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority would summarise the submission from Cllr. McGowan to request the following proposed amendments:

*To reconsider the proposed Open Space & Amenity land use zoning to a site adjoining Bofin Avenue and to the rear of properties to the south of Main Street, Dromod with a view to*

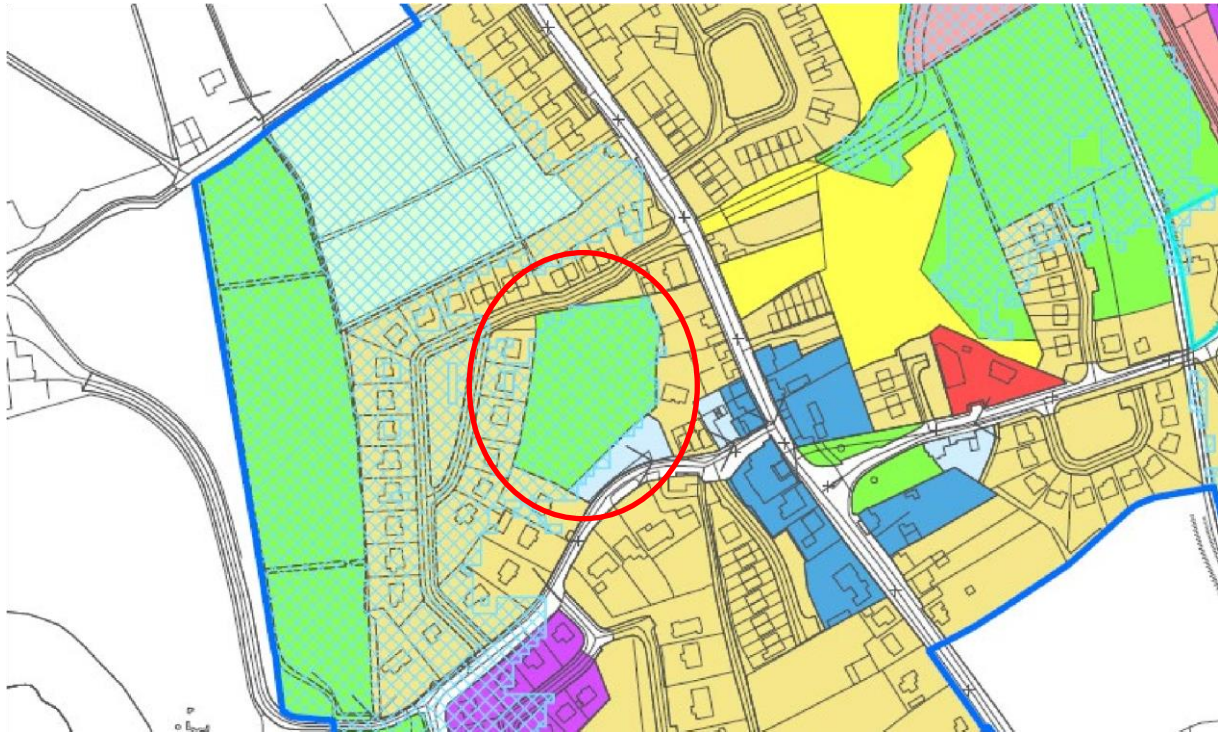
- a) reinserting the previous designation as Residential Reserve, or*
- b) allowing residential development to be permitted on all or part (eastern area closest to Main Street) of the subject site.*

An extract is included overleaf (Figure 6) from the Dromod land use zoning objectives map to assist the Elected Members understanding of the site in question. The site in question has been identified in a red outline.

The Planning Authority can confirm that there remains is a live (extant) planning permission on the subject lands which would allow for the construction of a 58 no.

bedroom nursing home. Planning permission was granted for this development pursuant to planning register ref. no. P11/291 in January 2013. The duration of this permission was extended by a further 5 years pursuant to planning register ref. no. P17/112. It should be noted that this permission will expire early next year and cannot be extended further.

**Figure 6: Extract from Dromod Proposed Land Use Zoning Objectives Map**



The Planning and Development Act 2000, as amended, states in Section 10 (8) *“There shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan”*.

The subject lands were identified as *‘Residential Reserve / Support’* in the existing County Development Plan 2015-2021. The *‘Residential Reserve / Support’* designation has been discontinued in the draft Plan on the basis that headroom is already provided for within the overall housing projections as provided for by the Department of Housing, Local Government and Heritage. The Planning Authority cannot accept the proposal contained in the submission seeking therefore to retain the existing designation as contained in the existing County Development Plan as this can be discontinued.

The proposed rezoning of this site has been referred to CAAS Ltd. for their observations regarding the Strategic Flood Risk Assessment (SFRA) noting that this assessment was the basis for the application of the Open Space & Amenity land use zoning objective to the subject site. CAAS Ltd.

have replied as follows:



*The SFRA for the County Development Plan maps flood risk indicators that were taken into account in the delineation of Flood Risk Zones. These indicators comprise both historical indicators (for Dromod, these include a past event to the immediate west of Bofin Avenue) and predictive, modelled, indicators.*

*The predictive indicators included in the OPW's Preliminary Flood Risk Assessment (PFRA) mapping is from 2011. As identified in the SFRA report, the PFRA mapping is only a preliminary assessment, purely indicative, has been developed using simple and cost-effective methods, is based on broad-scale simple analysis and may not be accurate for a specific location/use. The PFRA mapping does not identify the Bofin Avenue area as being at an elevated level of flood risk.*

*The main predictive indicator that has informed the Flood Risk Zones in the SFRA is that of the significantly more advanced OPW's Catchment Flood Risk Assessment and Management Study (CFRAMS) Flood Extent Mapping from 2016. The CFRAMS mapping identifies the Bofin Avenue area as being at an elevated level of flood risk.*

*The Flood Risk Zones must be based on the best, most up-to-date and available information and they are supported by in-field visits and ground truthing by professionals. Factors including the topography of lands in Dromod, including significant modifications arising from works such as, where relevant, those identified in the submission, has informed the models prepared by the OPW and the SFRA.*

*The Guidelines have significant implications for the appropriateness of different land use zoning objectives across the three Flood Zones identified. For example, the Guidelines generally do not permit undeveloped lands in Flood Zone A to be zoned for uses vulnerable to flooding (such as Residential), although there are exceptions allowed for lands within/adjoining the settlement core subject to the passing of a number of strict, challenging criteria under the Justification Test.*

*The Ministerial Guidelines require that the presence of flood protection structures should be ignored in determining flood zones. This is because of risks relating to:*

- Failures, which can include a breach of a flood defence, blockage of a surface water channel or drainage system, failure of a flap valve, overtopping of an upstream storage area, or failure of a pumped drainage system. Flood defences may not be maintained in perpetuity.*
- A severe flood event that exceeds the design standard of the defence - such as a flood that overtops a raised flood defence. This risk is exacerbated with climate change.*

*Furthermore, insurance can be challenging to attain in these areas.*

*Whenever flood defences are completed, they can, however, be taken into account*

*during the preparation of future County Development Plans through Justification Tests for land use zoning in areas of elevated levels of flood risk for what would otherwise be inappropriate uses. However, for the Justification Test to be passed, various criteria must be satisfied, including a criterion relating to the availability of alternative lands in areas of lower flood risk elsewhere.*

On the basis of the foregoing, the Planning Department do not lend their support to the proposed amendment to reconsider the Open Space & Amenity land use zoning objective for the subject site as contained in the Chief Executive's draft County Development Plan.

### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

Councillor Sean McGowan said a lot of the ground has been taken away and brought to other parts of the village to raise up the ground on such sites. Councillor McGowan said that why he accepted the response, he would wait and see what submissions come from the public when the Draft Plan goes on public display. He said he would not like to see this area closed off for development, the level of the site was manually lowered, and it could be raised again, as this is a prime site in the heart of the village.

Councillor Thomas Mulligan said this site is not a natural flood basin, it can be raised as it was not manually lowered, and he supported Councillor Sean McGowan in this regard

Councillor Des Guckian asked where was the 58 bed Nursing home to be located?

Cathaoirleach, Councillor Paddy O'Rourke queried if the levels were to be built up might that prevent flooding?

Mr Bernard Greene said a detailed model of the village will be prepared by the OPW as part of the preparation of the CFRAM. Development could be considered once the outcome of the model is known to include the displacement of the extent of flooding within this site to another area. Currently there is no evidence to suggest that refilling the site may prevent flooding of vulnerable uses within an area identified as being at risk of flooding.

On the **Proposal** of Councillor Sean McGowan

**Seconded** by Councillor Enda Stenson and **UNANIMOUSLY RESOLVED**

That the Draft Development Plan is not amended.

Cllr Sean McGowan said it could be considered again after the public make submissions on the plan, and when it is known what the flood defences in the area may entail. When the draft County Development Plan comes back to the full Council it can be reviewed again.



Councillor Thomas Mulligan concurred with the view of the meeting in this regard.

#### **SUBMISSION NO. 10 – CLLR. PADDY O’ROURKE**

##### **Proposed Amendment 1**

That the lands presently designated for Enterprise & Employment North of Carrigallen in townland of Druminchin be attained as same particularly as they are well serviced and with an ever increasing local population it is inevitable there will be a demand for such lands to accommodate job creation.

On the **Proposal** of Councillor Paddy O’Rourke  
**Seconded** by Councillor Enda McGloin

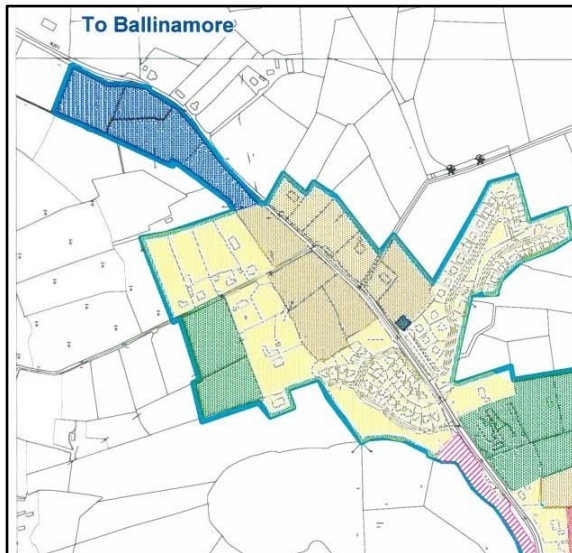
##### **Proposed Amendment 2**

That the lands currently designated as Social & Community in townland of Killahurk should be retained as same particularly in view of the ever expanding local population and the likely demand for such lands in the future.

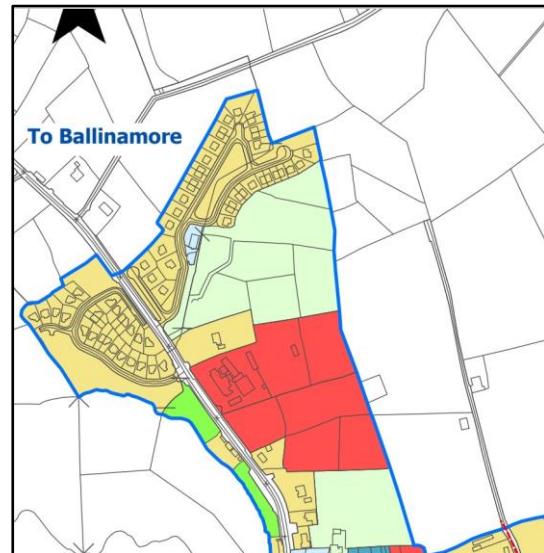
On the **Proposal** of Councillor Paddy O’Rourke  
**Seconded** by Councillor Enda McGloin

Mr Bernard Greene, Senior Planner responded as follows:

It is considered that the proposed amendments are linked and can be responded to together by the Planning Authority. The existing County Development Plan 2015-2021 includes lands identified with an Enterprise and Employment land use zoning objective off the R201 at the northern entrance to the town as referred to in this submission. No planning applications have been made seeking to develop these lands since the lands were first zoned. In the preparation of the draft County Development Plan, it was considered that these lands are poorly connected back to the village centre whilst the extent of lands for such a use on the opposite end of the village to the rear of the existing Jetwash International Ltd. facility were extended, coinciding with the extent of the lands understood to be owned by the IDA. Furthermore, the proposed draft County Development Plan seeks to strengthen the village by consolidating growth with the proposed development envelop terminating after the Cois Locha estate on the R201.



Existing County Development Plan



Proposed Draft County Development Plan

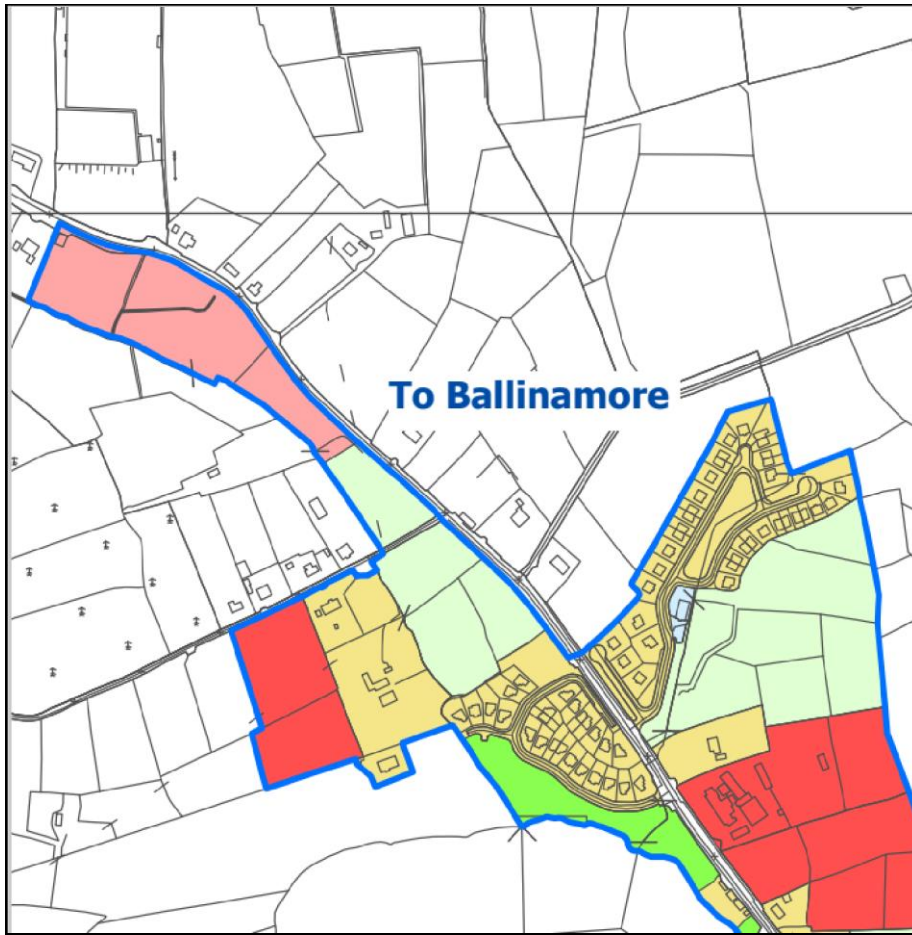
On a similar basis, the lands located off minor road (L55651) which were identified with a Social and Community land use zoning objective in the existing County Development Plan were excluded due to their remove from the town centre and lack of existing infrastructure (wastewater treatment, footpath and public lighting) at this location.

It is now accepted that the lands identified to the rear of Jetwash International Ltd. whilst in the ownership of the IDA are subject to a long term lease to Jetwash International Ltd. There is also no obvious means of providing an independent means of access to the lands to the rear. On that basis, the need to identify an alternative area for Enterprise and Employment is now accepted with the retention of the existing lands identified to the north west of the village accepted. Similarly, the Planning Authority understands the basis for the retention of the lands previously identified for Social and Community land use. However, in the identification of tiering of land use zoning, both of these parcels of lands will be identified as Tier 2 as they are not presently serviced although possible to be serviced within the life of the plan albeit at the expense of the landowners / developers. To accommodate these changes requires the reinstatement of existing residential land use zoning objectives to adjacent lands with lands previously identified as 'Residential Reserve / Support' changed to 'Agricultural' land use zoning objective.

#### **Recommendation - Carrigallen Settlement Plan**

To extend the development envelop of Carrigallen to include lands to the north west of the village which were previously zoned in the existing County Development Plan 2015 – 2021 identified for 'Enterprise and Employment' and 'Social & Community' land use zoning objectives but were proposed to be removed in the Chief Executives draft County Development Plan 2023-2029. The one change from the existing County Development Plan is the replacement of the lands identified as 'Residential Reserve / Support' to 'Agriculture' land use zoning objective. An extract of the amended land use zoning objectives map for Carrigallen is provided in Figure 7 below.

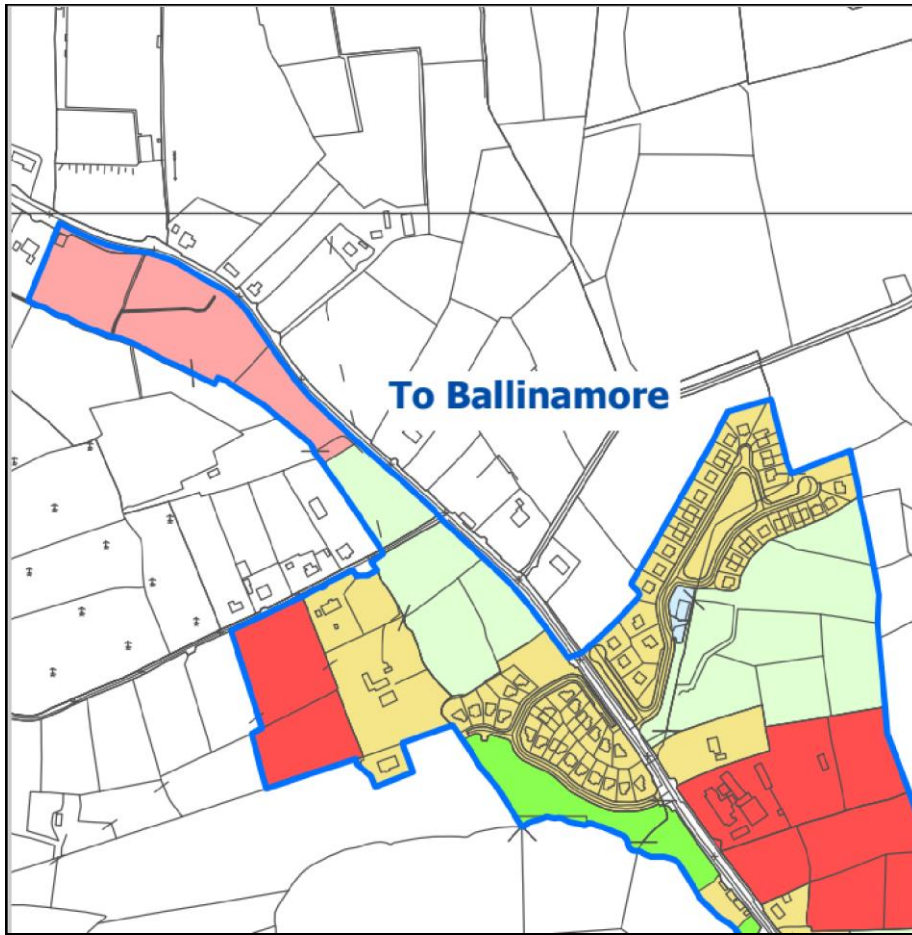
**Figure 7: Amendment to Carrigallen Land Use Zoning Objectives Map**



On the **Proposal** of Councillor Paddy O'Rourke

**Seconded** by Councillor Brendan Barry and **UNANIMOUSLY RESOLVED**

“To extend the development envelop of Carrigallen to include lands to the north west of the village which were previously zoned in the existing County Development Plan 2015 – 2021 identified for ‘Enterprise and Employment’ and ‘Social & Community’ land use zoning objectives but were proposed to be removed in the Chief Executives draft County Development Plan 2023-2029. The one change from the existing County Development Plan is the replacement of the lands identified as ‘Residential Reserve / Support’ to ‘Agriculture’ land use zoning objective. An extract of the amended land use zoning objectives map for Carrigallen is provided in Figure 7. “



**SUBMISSION NO. 11 - CLLR. SEAN MCDERMOTT**

**Proposed Amendment 8**

Regarding EPA guidelines and soil percolation tests, planning will be considered by Leitrim County

Council for one off homes where T Test results fail on sites based in areas and townlands in rural County Leitrim where the population is in decline (from census to census) and has a small amount of one-off housing within a 5 km radius, as the accumulative environmental impact of wastewater systems is negligible. The planning submissions must provide for wastewater treatment facilities that meets the Local Authorities and EPA requirements or will propose to discharge to surface water and will require a discharge licence from the Local Authority.

On the **Proposal** of Councillor Sean McDermott  
**Seconded** by Councillor Frank Dolan

Mr Bernard Greene, Senior Planner responded as follows:

Under Article 22(2)(c) of the Planning and Development Regulations 2001, as amended, where it is proposed to dispose of wastewater other than to a public sewer from a development, a planning applicant must submit information on the type of domestic wastewater treatment system (DWWTS) proposed and evidence as to the suitability of the site for the system proposed. The *Sustainable Rural Housing Guidelines* (2005) and *Development Plan Guidelines* (2007) both highlight that a site proposed for new houses in unsewered rural areas must be suitable for the installation and operation of a DWWTS. Furthermore such proposals must consider local ground conditions, as well as stipulating a need to protect water quality. Adherence to the EPA Code of Practice (CoP) 2021 is required by all Local Authorities as part of their development plan policy framework.

The overall regulatory and policy framework at national level is therefore clear on the need for the application of high standards in the assessment, provision and maintenance of effective DWWTSs for new housing development in rural areas.

The obligations of the state and in turn, Local Authorities as consenting bodies, to conform with the EU Water Framework Directive (WFD) (Directive 2000/60/EC) is providing for the protection of all waters including rivers, lakes and groundwater and their dependent wildlife/habitats also has clear implications in relation to conformity with the EPA CoP.

The legal framework currently in place does not provide for any deviation from the EPA CoP such as that proposed in this amendment.

### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

Councillor Sean McDermott said it was time that Leitrim County Council made a statement with regard to Planning in our county and to draw attention to the plight of those seeking to build one off houses in the county. He said the current planning laws are killing Co. Leitrim. Councillor McDermott acknowledged serious problem in Co. Leitrim, and it needs to be addressed by senior officials in Government Departments. Councillor McDermott referred to a neighbouring county with a population of 65,000 people and for every 1,000 population, planning permission for 8 one off houses has been granted in every 3 year period. The population in Co. Leitrim is 32,000 and for every 1,000 population the corresponding figure equates to 2 one off houses being granted planning permission in every three year period. Councillor McDermott said this proposed amendment should be taken into account and he said if we don't act on this now it will be too late to stop the rural depopulation by the time this County Development Plan is over in 2029.

Councillor Frank Dolan and Councillor Gerry Dolan supported Councillor McDermott.

Councillor Felim Gurn fully supported the proposed amendment and he acknowledged that Leitrim County Council are restricted by the EPA guidelines.

Councillor Enda Stenson said from a GAA point of view it is serious with the decline of population in rural areas.

Councillor Mary Bohan acknowledged the significant developments that have been made by the Planning Authority in attempting to address this issue. She insisted the current situation cannot be allowed to continue.

Councillor Justin Warnock stated that there are 180 townlands in Co. Leitrim that nobody is living in, of which 6 to 7 townlands are in the Glenfarne area. Councillor Warnock said that if we are not allowed to repopulate our own townlands, that we need to take action to address this.

Councillor Enda McGloin acknowledged that this matter is governed by EPA guidelines and the same rules apply to all areas and he said this is unfair particularly in areas of decline i.e less than 2 houses developed in a 3 year period.

Councillor Gerry Dolan supported the proposal and he referred to areas where a road is the county boundary, and it is possible to get planning on the other side of the road which is in the adjoining county.

Councillor Pdraig Fallon said we certainly need to do something as the current situation is it is stark and rural Leitrim will not survive under the current guidelines.

Mr Joseph Gilhooly said That all Local Authorities must prepare their County Development Plan in line with the EPA Code of Practise. The first and primary concern is what happens when there is a discharge on the development site. Ponding of effluent may lead to Health & Safety issues for those dwelling on the site. Discharge licenses to surface waters is being considered as a potential solution and further exploration is needed in this regard.

Councillor Mary Bohan supported Councillor Sean McDermott and the other members comments. Councillor Bohan said that 10 years have passed since this issue first arose and people are frustrated, and it appears if no progress is being made in this issue.

Councillor Sean McDermott acknowledged the approach as set out in the Code of Practise. He said this approach is not working for Co. Leitrim and in making the proposed amendment, it is a means to test the existing guidelines.

Councillor Sean McDermott acknowledged how hard the Planning Authority is working on this issue.

Cathaoirleach, Councillor Paddy O'Rourke referred to the affect the guidelines have had on the county since 2010. He also referred to the excessive charges levied by Irish Water for connecting to sewerage services.

Councillor Sean McGowan supported the amendment and he said there are engineering solutions to this problem. He queried if the EPA would engage in carrying out a pilot scheme with such wastewater treatment systems.

Councillor Thomas Mulligan said he is firmly of the belief, and has evidence where soil is inadequate, that a system can be employed, and it does require minor ongoing maintenance.

Councillor Des Guckian supported the amendment and agreed with the comments.

Councillor Enda McGloin sought clarification if this submission remains part of what is being considered for decision and if it goes to the Public and then goes to the Planning Regulator, what will the likely outcome be?

Mr Bernard Greene said the 1<sup>st</sup> part of the proposed amendment contradicts the second part of the proposed amendment. It is the Department that prepare the guidance in a raft of different Planning Guidelines (Section 28). The role of the OPR is to then assess the proposed policies and objectives in draft Development Plans against such guidance. In making submissions to draft Development Plan, there are OPR recommendations that are binding and there are recommendations (observations) that are not binding.

Cathaoirleach, Councillor Paddy O'Rourke said there is nothing being offered at the moment, and he proposed that we wait and see what the current deliberations with Trinity College and the EPA may bring shortly. Leitrim County Council do not have a lot of options but to stay with the existing research project and hope to get a positive outcome.

On the **proposal** of Councillor Sean McDermott

**Secoded** by Councillor Frank Dolan and **UNANIMOUSLY AGREED**

“That Leitrim County Council continue with the current research programme in regard to one off housing waste water treatment systems. No amendment to the draft Development Plan to be made at this time in regard to this proposal”.



## SUBMISSION NO. 12 - CLLR. DES GUCKIAN – 12 Proposed amendments

### Proposed Amendment 1

The maps shown in Vol 3, Appendix E, Book of Maps are misleading and unclear. Prominent buildings, street names, and other features which would help with navigation and understanding need to be named. On the Mohill town map the old town dump and the WWTW works should have been highlighted. For clarity, this map should be to a larger scale and show very clearly the arrows which show the direction of flow of rivers & streams.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### Proposed Amendment 2

Mohill was founded around an abbey in 550 AD. A map showing the outline of the area of archaeological interest should have been included. This would help guide planning applications in the lower end of town and trigger investigations into the form and extent of the old abbey site. The abbey is left out of Mohill, as it appears on P74.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### Proposed Amendment 3

Chalara, or Ash die back: This is one of our most pressing problems, yet I see no reference to it. For many years, this has been a great threat to ash trees all over Co Leitrim. The ash is very common in our hedges, but their visual amenity etc is now at a catastrophic end. The die back is now reaching catastrophic proportions. The tree tops (especially) are literally rotting and branches of all sizes are falling off. Everybody and everything is in danger from falling ash trees. Trees in areas with high levels of public access need to be monitored carefully for risks to public safety. To help emphasise this growing serious threat, I'm proposing to planners that the following be adjusted / altered in the Written Statement ---- P 220 Trees & Hedgerows and tree felling licence (felling is a must). P.239 protection of Landscape character/ unspoilt Natural Beauty. P 243-4 to create /protect ecologically resilient and varied landscapes AND, in Pol 2, preserve unique landscape character. P 246 Visual Amenity. P 283 Forestlands.

On the **Proposal** of Councillor Des Guckian  
**Seconded** by Councillor Brendan Barry



Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority do not consider that numerous references to Chalara or Ash die back is required in the County Development Plan as suggested.

The Planning Authority is aware that Ash Dieback disease is caused by the *Chalara fraxinea* fungus. The disease causes leaf loss and crown dieback in affected trees, and it can lead to tree death. The fungus was first confirmed in eastern Europe in 1992 and it has spread westwards since. The disease is now prevalent throughout most of the island of Ireland and is likely to cause the death of the majority of the ash trees over the next two decades. Teagasc is carrying out research to establish a gene bank composed of genotypes of ash tolerant to ash dieback with the aim to produce planting stock for forests and hedgerows in Ireland. The decline poses a risk to landowners for both public safety and deterioration of woodland cover and the ecological, social and economic benefits these woodlands provide. In turn is creating problems for forestry and woodland managers, as well as massively increasing tree related public safety.

In 2013, the Department of Agriculture, Food and the Marine devised a “*reconstitution scheme*” to help in clearing affected plantations and planting them with alternative species. By 2018, this had cost some €5.8 million, for more than 1,000 hectares, but it stopped when scientists advised that eradication of ash dieback was no longer feasible. After widespread damage throughout Europe, the research priority is now finding the small minority of ash trees that are tolerant of the disease and passing on their tolerance genetically. Actual resistance to the fungus has not been found in any common ash population and even naturally tolerant trees, left to themselves, could take many decades or even centuries to evolve any widespread, rural equilibrium.

The ash-breeding programme will need large nurseries to propagate trees by grafting and for production of cuttings for rooting. A second stage begins with producing small amounts of seed from grafted trees grown in high polytunnels. This requires controlled pollination of “*mother tree*” flowers from tolerant father trees. Later, more seed can come from orchards of tolerant trees grown from grafts and rooted cuttings.

It is considered appropriate that a short narrative be included which acknowledges this unfortunate ecological effect and supports ongoing national efforts in this regard.

### **Recommendation**

To include the following paragraph in Section 10.6.6 Trees and Hedgerows of the Written Statement (Volume I) of the Draft Plan:

*Ash Dieback disease is caused by the Chalara fraxinea fungus. The disease causes leaf loss and crown dieback in affected trees, and it can lead to tree death. The disease was first identified in Ireland in a plantation in Co. Leitrim in Autumn 2012 on plants*

*imported from continental Europe. The disease is now prevalent throughout most of the island of Ireland and is likely to cause the death of the majority of the ash trees over the next two decades. The decline poses a risk to landowners and others for both public safety and deterioration of woodland cover and the ecological, social and economic benefits these woodlands provide. Leitrim County Council supports the measures underway by the Department of Agriculture, Food and the Marine, Teagasc and Council for Forest Research and Development in the development of an ash breeding programme identifying and planting species of ash that are tolerant to the disease.*

To include the following objective (**TREE OBJ 2**) in Section 10.6.6 Trees and Hedgerows of the Written Statement (Volume I) of the Draft Plan:

*To support the measures being undertaken by the Department of Agriculture, Food and the Marine, Teagasc, Council for Forest Research and Development (COFORD) dealing with the effects of Ash Dieback disease and in the development of an ash breeding programme identifying and planting species of ash that are tolerant to disease.*

On the **Proposal** of Councillor Des Guckian

**Seconded** by Councillor Brendan Barry and **UNANIMOUSLY RESOLVED**

“To include the following paragraph in Section 10.6.6 Trees and Hedgerows of the Written Statement (Volume I) of the Draft Plan:

*Ash Dieback disease is caused by the Chalara fraxinea fungus. The disease causes leaf loss and crown dieback in affected trees, and it can lead to tree death. The disease was first identified in Ireland in a plantation in Co. Leitrim in Autumn 2012 on plants imported from continental Europe. The disease is now prevalent throughout most of the island of Ireland and is likely to cause the death of the majority of the ash trees over the next two decades. The decline poses a risk to landowners and others for both public safety and deterioration of woodland cover and the ecological, social and economic benefits these woodlands provide. Leitrim County Council supports the measures underway by the Department of Agriculture, Food and the Marine, Teagasc and Council for Forest Research and Development in the development of an ash breeding programme identifying and planting species of ash that are tolerant to the disease.*

On the **Proposal** of Councillor Des Guckian

**Seconded** by Councillor Brendan Barry and **UNANIMOUSLY RESOLVED**

To include the following objective (**TREE OBJ 2**) in Section 10.6.6 Trees and Hedgerows of the Written Statement (Volume I) of the Draft Plan:

*To support the measures being undertaken by the Department of Agriculture, Food and the Marine, Teagasc, Council for Forest Research and Development (COFORD) dealing with the effects of Ash Dieback disease and in the development of an ash breeding programme identifying and planting species of ash that are tolerant to disease.”*

Councillor Des Guckian welcomed the response and said it should be referenced in the plan.

#### **Proposed Amendment 4**

INVASIVE SPECIES : Plant species include rhododendron, Japanese knotweed etc. There is pathetically little about this on P238. This should also be extended to native species such as the sally or willow. The willow shows a huge capacity to expand rapidly and to take over farmland. One example of this, which can be attributed to your neglect, is all along the Dromod/Rooskey Bypass, especially near Faulties railway bridge down towards the Bog Lough.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

#### **Proposed Amendment 5**

URBAN GROWTH: Your policies of Urban Hierarchy and Tiers of towns, as on P18-9, is obviously borrowed from the national schemes, but it is too tight of a straight jacket for our towns and villages. Such places are already in decline, so your policies will consign them to oblivion. This misguided policy has to loosen up. On P16, you hope to regenerate town centres. This cannot be brought about by magic and will require plenty of extra employment in each town. Handing over town centres to speculators is not the answer. Mohill fears that central areas will be taken by the Council and handed over to speculators who want to profit from building apartment blocks. Though Homeless people are mentioned, there is clearly nothing to be provided for them (see p20-1). This is not acceptable. It is contrary to your stated aim in the middle of P32 “ensure that every household has accommodation--- “

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### **Proposed Amendment 6**

QUALITY OF WATER : The account, on P182, blatantly ignores the fact that Lough Rinn is the worst polluted lake in this region. This reality must be clearly stated and not hidden under “High status Objective Waterbodies in Co Leitrim”

Cathaoirleach, Councillor Paddy O’Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment

### **Proposed Amendment 7**

N4 , Extension of Bypass of Dromod/Roosky Bypass on past Carrick-on-Shannon. Your Capital Programme 2022-27 gave the cost of this as 118 million, yet on P170, you state that the TII estimates the cost of this scheme is to be between 200 and 250 million. Allow for rising inflation and this will be bigger again. I propose that the inner bypass of Carrick Town, plus a new bridge, be made the priority. Extending the extremely inadequate 2=2 design through rural S. Leitrim is not necessary and will cause huge disruption.

Cathaoirleach, Councillor Paddy O’Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### **Proposed Amendment 8**

SHALE GAS and Gold Licences: P223 makes reference to hydraulic fracturing. The amendment we, as members, placed in the last Co Development Plan needs to be underlined, as well mentioning the 2017 Act. Recent attempts to seek licences for the mining of gold in Co Leitrim have, for a variety of good reasons, got to be opposed by us and I believe we must clearly express our opposition now to any future attempts to open up such licencing.

On the **Proposal** of Councillor Des Guckian  
**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

The section contained in the draft Development Plan (10.7.1 Unconventional Gas Exploration and Extraction) makes reference to the policy contained in the previous County

Development Plan 2015 – 2021 and to the Petroleum and Other Minerals Development (Prohibition of Onshore Hydraulic Fracturing) Act, 2017.

The issuing of prospective licensing is a matter for the Department of Communication, Climate Action and Environment. A prospecting licence relates to the activity of exploring for minerals only and does not give the licence holder permission to mine. In the event that licensed prospecting activities lead to an intention to mine, three separate State consents are needed, all providing for public consultation.

1. An Integrated Pollution Control (IPC) licence from the Environmental Protection Agency (EPA). IPC licences aim to prevent or reduce emissions to air, water and land, reduce waste and use energy / resources efficiently. An IPC licence is a single integrated licence which covers all emissions from the facility and its environmental management
2. Planning permission from the Local Authority (including a full environmental impact assessment and public consultation)
3. A mining lease or licence from the Minister for Communications, Climate Action and Environment

The Minister will not consider granting a mining lease or licence until both the planning permission and an IPC licence have been granted.

### **Recommendation**

It is not recommended to amend the draft Development Plan on foot of this submission.

Councillor Des Guckian said he was not happy with the recommendation and there was no section in the plan dealing with prospecting licences and he said we need to make a stand and make it clear we are opposed to such licencing.

Councillor Des Guckian proposed that the 18 Members ask and demand this amendment be placed in the Draft County Development Plan and not be over ruled on the matter.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for Cllr. Guckian's proposal to be included in the County Development Plan. In the absence of a seconder, no amendment was made to the Draft Development Plan.

### **Proposed Amendment 9**

WIND FARMS: Wind energy references on P289 onwards - North Leitrim's beautiful mountain tops have been over-targeted by speculators. This has resulted in scenic and environmental disasters (bog and mud flows). Allowing wind generators of several hundred feet high on top of beautiful limestone mountains is irresponsible. There are supposed to be about 40 more in the pipeline. Leitrim has already taken more than its share of these monstrosities. Our Co Development Plan needs to put a stop to this madness.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### **Proposed Amendment 10**

FORESTRY: In P119, P213, P216-9, P283 and P300, there are conflicting messages. The problem is not a poor farmer planting part of his land, but speculator companies, backed by local investors, buying up more and more large tracts from elderly, poor farmers and turning this into a long-term investment, to the detriment of rural dwellers. Huge forestry investments must be limited and this needs to be part of the Plan.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### **Proposed Amendment 11**

TOURISM V FARMING: There is a huge emphasis on promoting tourism eg P94 to 105. The sections on farming and rural life are much weaker and more vague. See Rural Future P108, Rural Economy P130, P204, P206 and P278. These accounts are vague. There is stuff about enterprise opportunities, transforming rural Ireland (not a chance in Co Leitrim), encouraging growth and arresting decline. In Realising our Rural Potential there is silly, unreal stuff about "a framework of supports at national and local level which will ensure that people who live in rural areas have increased opportunities for employment locally, access to public services and social networks that support a high quality of life". It is equally unreal on P278.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### **Proposed Amendment 12**

HERITAGE: What I see on P254, P262, and P324, tells me this is the Cinderella Zone. National policy dictates that over 1,000 locations in Co Leitrim are covered by Heritage orders.

In other words, they are to be preserved as national monuments. The onus is put on the owner to safeguard the monument but is not offered a proper grant to do so. It is true that some people will demolish these rather than be burdened with big costs of preservation. In the case of Mohill abbey, the state and Council need to take a greater interest and to put up plenty of funding. The list on P254, includes The Black Pig's Dyke. Who has investigated the history and the function of this Dyke? I think a Co. Development Plan should urge the Department of Heritage to work harder to do a deep trawl of history and investigative work, starting with our major monuments.

Cathaoirleach, Councillor Paddy O'Rourke asked for a seconder for this proposed amendment. In the absence of a seconder, no further discussion took place on this proposed amendment.

### **SUBMISSION NO. 13 - CLLR. FELIM GURN**

#### **Proposed Amendment:**

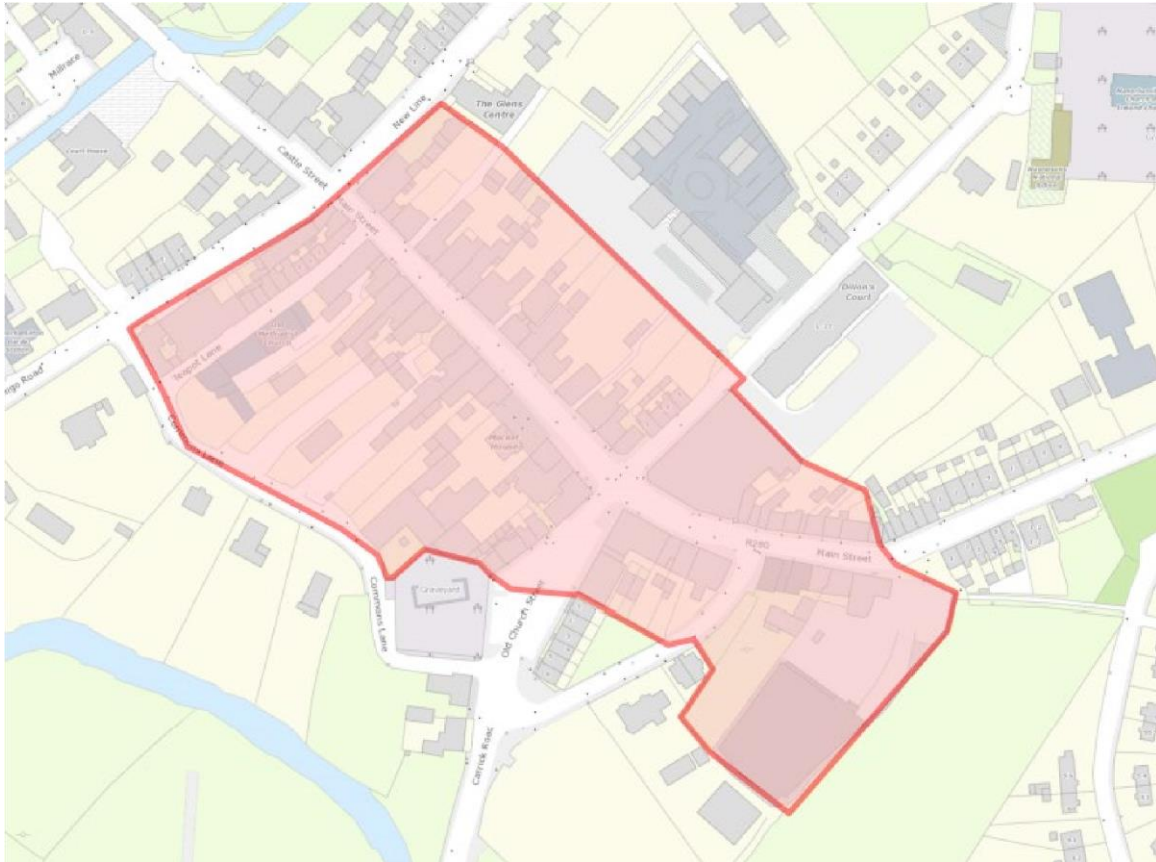
To include the New Line in the Core Retail Area

On the **Proposal** of Councillor Felim Gurn  
**Seconded** by Councillor Sean McDermott

Mr Bernard Greene, Senior Planner responded as follows:

The Retail Core Area which is shown in the extract below was identified by the Planning Authority as Main Street extending south to include SuperValu. Retail businesses are encouraged to consolidate within this area, ensuring footfall is concentrated thus contributing to the overall vitality and vibrancy of the town. By concentrating retail development in this area is considered to the benefit of all businesses and also ensuring that proposed investment in the public realm funded under the Rural Regeneration and Development Fund is maximised. It is considered that incentives could be designed to promote the reoccupation of vacant properties within this area through the Development Contribution Scheme, reduced commercial rates for a 3 year period, etc.

**Figure 9: Core Retail Area for Manorhamilton proposed in Chief Executives Draft County Development Plan 2023-2029**



The submission proposes to extend the area to encompass the New Line (N16). Although this extends the focus and purpose of designating a central 'core' for retail purposes, it is acknowledged that New Line is a busy commercial street and as such the Core Retail Area can be extended accordingly. The extent of the amendment is shown overleaf. It extends from the junction of the N16 as far as but excluding the Leitrim Sculpture Centre. It is not considered that the opposite side of the New Line should be included as there is no retail use present within this area. The northern side of the N16 opposite the former Jack's casino was excluded for similar reasons.



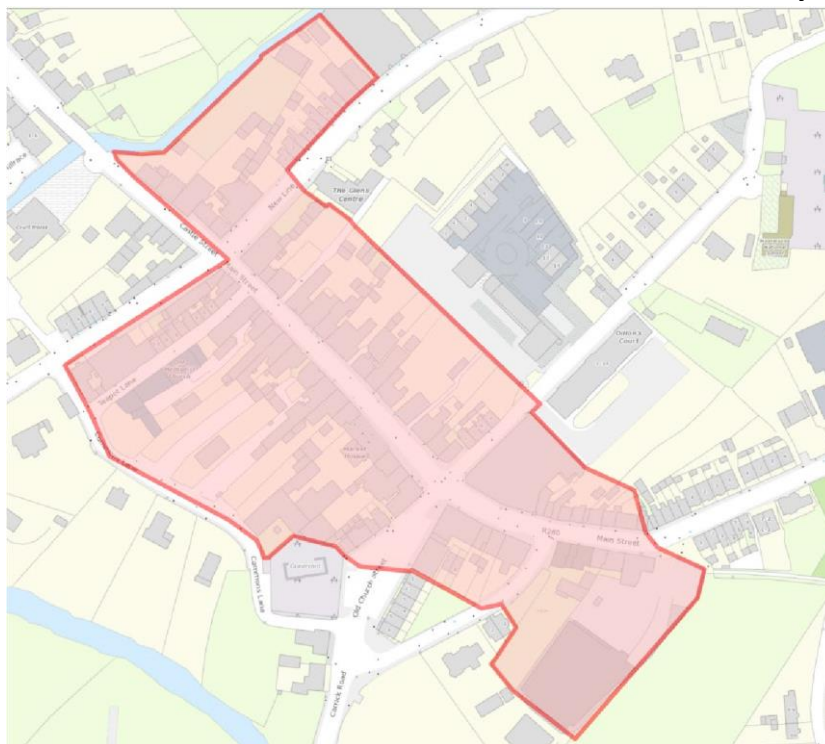
**Figure 10: Proposed amendment to Core Retail Area for Manorhamilton**



**Recommendation**

1. To extend the Core Retail Area as detailed in the draft County Development Plan for Manorhamilton (page 92) to include commercial premises on the northern side of the New Line (N16) past the junction with Sráid Sheáin Mhic Dhiarmada. The extent of the revised Core Retail Area is presented in Figure 11 below.

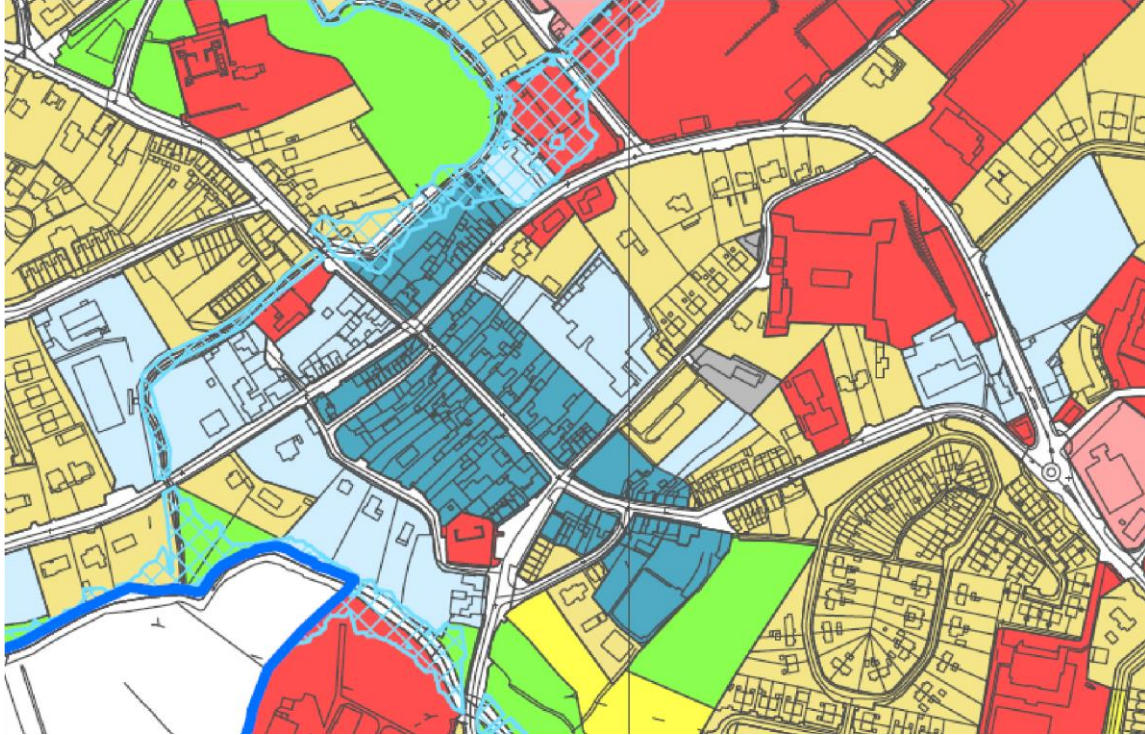
**Figure 11: Proposed amended Manorhamilton Core Retail Area Draft County Development**



**Plan 2023-2029**

1. This will also necessitate the land use zoning objective being altered from 'Mixed Use' to 'Town Centre' use. An extract from the Land Use Zoning objectives map is also provided in Figure 12 below.

**Figure 12: Amended Land Use Zoning Objectives Map for Manorhamilton**



Councillor Felim Gurn sought clarification as what was referred to as the "Town Centre".

Mr Bernard Greene outlined that "Town Centre" refers to the primary commercial use of premises on the ground floor. Mr Bernard Greene said 2 areas have been identified suitable for new commercial uses at the junction at Monks Row (Monkey Row) and the area of backlands off the Common's Lane.

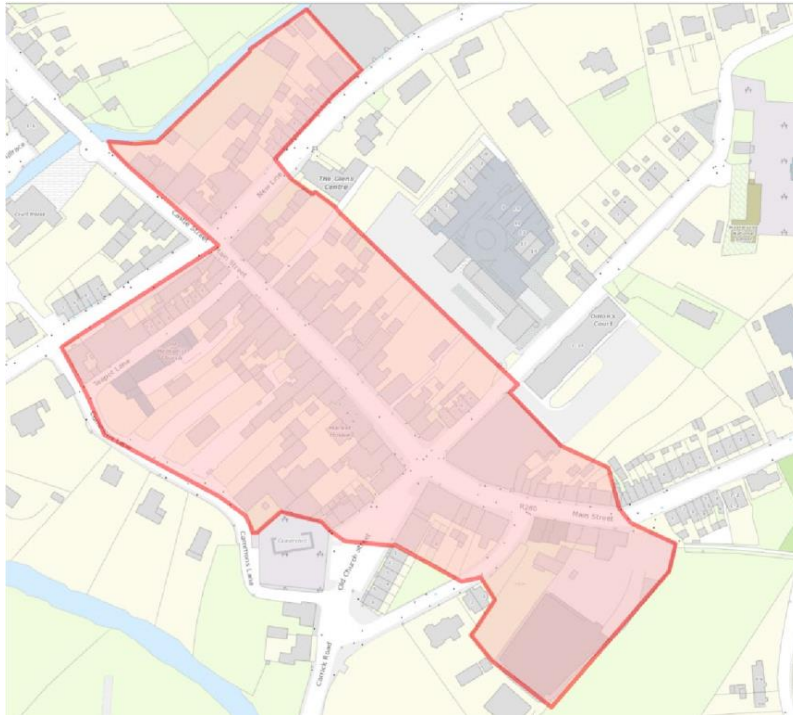
On the **Proposal** of Councillor Felim Gurn

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

"To extend the Core Retail Area as detailed in the draft County Development Plan for Manorhamilton (page 92) to include commercial premises on the northern side of the New Line (N16) past the junction with Sráid Sheáin Mhic Dhiarmada. The extent of the revised Core Retail Area is presented in Figure 11.

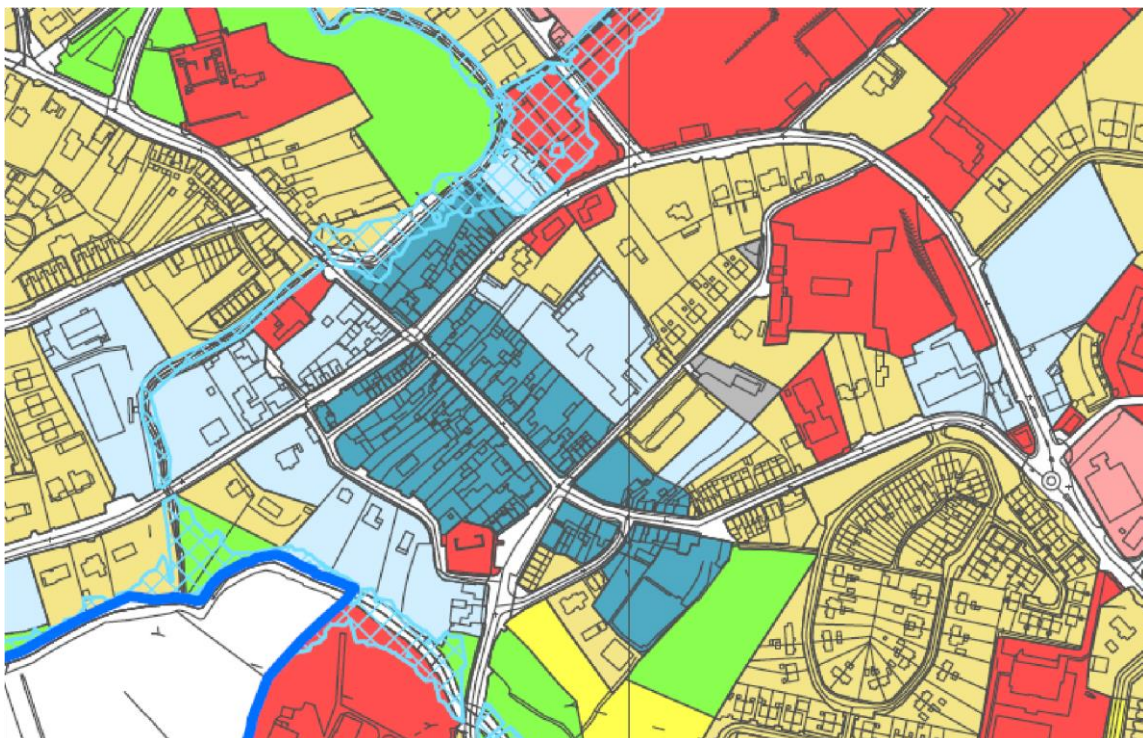


**Figure 11: Proposed amended Manorhamilton Core Retail Area Draft County Development Plan 2023-2029**



This will also necessitate the land use zoning objective being altered from 'Mixed Use' to 'Town Centre' use. An extract from the Land Use Zoning objectives map is also provided in Figure 12.

**Figure 12: Amended Land Use Zoning Objectives Map for Manorhamilton**



## SUBMISSION NO. 14 - CLLR. JUSTIN WARNOCK

### Proposed Amendment 8

To include an objective to investigate the feasibility and potential of North Leitrim, Sliabh an Iarainn and its hinterland as a National Park/Recreational Area designation in conjunction with the National Parks and Wildlife Service (NPWS) and other relevant stakeholders.

On the **Proposal** of Councillor Justin Warnock  
**Seconded** by Councillor Sean McDermott

Councillor Justin Warnock said the feedback from Sligo County Council is that there was not much interest in creating a National Park and he said he would like to see a feasibility study carried out on this.

Mr Bernard Greene, Senior Planner responded as follows:

The Members are reminded that there is an objective (RPO 5.3) contained in the Regional Spatial and Economic Strategy as follows:

*The Assembly supports the consideration of the zone of:*

*(i) North Sligo/North Leitrim (Benbulbin and its hinterland);  
and (ii) The area surrounding and including Lough Arrow/Lough Key.*

*as potential National Parks/National Recreation Areas. It supports collaboration in this regard with stakeholders including NPWS, Local Authorities, Dept. of Culture, Heritage and the Gaeltacht.*

Objective (TOUR OBJ 3) of the proposed draft Development Plan seeks:

*To investigate the feasibility and potential of an outdoor recreation area in North Leitrim such as a National Park/Recreation Area designation, in conjunction with Sligo County Council, NPWS and other relevant stakeholders.*

Notwithstanding, given the similarities in both proposed objectives, the Planning Authority has no objection to the proposed amendment and its extension to incorporate Sliabh an Iarainn.

## Recommendation

To amend the proposed Objective **TOUR OBJ 3** on page 100 of the Written statement (Volume I) of the Draft Plan as follows:

*To investigate the feasibility and potential of North Leitrim, Sliabh an Iarainn and its hinterland as a National Park/Recreational Area designation in conjunction with the National Parks and Wildlife Service (NPWS) and other relevant stakeholders.*

Councillor Des Guckian said he would have some doubts about this plan for a National Park as the EU are our national government now and are being facilitated by the County Council.

Councillor Mary Bohan said she did not see us being taken over as a National Park. Councillor Bohan supported the proposal for a feasibility study.

Councillor Brendan Barry said he would have some concerns about this matter.

On the **Proposal** of Councillor Justin Warnock

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

“To amend the proposed Objective **TOUR OBJ 3** on page 100 of the Written statement (Volume I) of the Draft Plan as follows:

*To investigate the feasibility and potential of North Leitrim, Sliabh an Iarainn and its hinterland as a National Park/Recreational Area designation in conjunction with the National Parks and Wildlife Service (NPWS) and other relevant stakeholders”.*

## SUBMISSION NO. 15 - CLLR. BRENDAN BARRY

### Proposed Amendments

To reinstate the objective shown on the existing Drumshanbo Land Use Zoning Strategy Map providing a new link road connecting the R208 Ballinamore Road to the R207 Dowra Road.

On the **Proposal** of Councillor Brendan Barry

**Seconded** by Councillor Enda McGloin

Councillor Brendan Barry said the exiting road is narrow and he would like to see a feasibility study carried out to provide a new link road connecting the R208 Ballinamore Road to the R207 Dowra road.

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority removed most objectives relating to the provision of Distributor Roads which were shown on the individual Land Use Zoning maps contained in the previous County Development Plan 2015-2021. This was on the basis that the necessity for such roads was not apparent in some instances when 'Residential Reserve / Support' lands were removed from consideration (e.g. Dromahair) whilst in others the basis (funding and basis) for such a roadway being delivered linking local roads was not evident (e.g. Ballinamore). It was not considered that such roadways would realistically be provided within the life of the Development Plan and also that such alignments had not been subjected to the planning consent process which would have examined the environmental impact of such routes. On that basis, most of these routes have been removed from the draft Development Plan.

With regard to the proposed amendment, the proposed route would link 2 regional roads and may remove an amount of HGV traffic from the town centre. The amount of traffic which such a route would remove would have to be clarified as part of a feasibility study.

It is noted that there is also a different objective contained in the draft Settlement Plan for Drumshanbo for this alignment, DSO 32 refers and a recent application for funding was made seeking the progress of this objective.

*Seek to advance through planning and detailed design the development of a greenway (walking / cycling route) along the former narrow gauge rail line and to integrate this infrastructure with other existing / proposed walking routes / footpaths around the town. Subject to planning consent being obtained, to seek to deliver the development of the Greenway within the life of this Development Plan.*

It is not clear whether the 2 proposed objectives are compatible with each other. Should the former alignment be successful in being developed for a greenway, an alternative alignment would be required for the roadway. It would therefore be considered that an objective be included to identify and reserve free from development an alignment to provide a new link road connecting the R208 Ballinamore Road to the R207 Dowra Road but subject to the outcome of having first undertaken a feasibility study.

### **Recommendation**

To retain the proposed objective **DSO 32** as included in the draft County Development Plan and to include a new objective for Drumshanbo in the Settlement Plan (Volume II) of the Draft Development Plan as follows:

*Subject to the outcome of the undertaking of a feasibility study, to undertake a route selection process within the life of the County Development Plan as per the requirements of Plan Policy ILU POL 6) which would seek to provide a link road connecting the R208 Ballinamore Road to the R207 Dowra Road. Following the completion of this route selection process, to progress the design of the link road through the statutory planning consent process and when this has been completed, to reserve this route free from development.*

Councillor Enda McGloin, Councillor Des Guckian and Cathoirleach, Councillor Paddy O'Rourke supported the proposed amendment.

On the **Proposal** of Councillor Brendan Barry

**Seconded** by Councillor Enda McGloin and **UNANIMOUSLY RESOLVED**

“To retain the proposed objective **DSO 32** as included in the draft County Development Plan and to include a new objective for Drumshanbo in the Settlement Plan (Volume II) of the Draft Development Plan as follows:

*Subject to the outcome of the undertaking of a feasibility study, to undertake a route selection process within the life of the County Development Plan as per the requirements of Plan Policy ILU POL 6) which would seek to provide a link road connecting the R208 Ballinamore Road to the R207 Dowra Road. Following the completion of this route selection process, to progress the design of the link road through the statutory planning consent process and when this has been completed, to reserve this route free from development.”*

#### **Proposed Amendment 2**

The Opportunity Site identified in the Drumshanbo Settlement Plan relating to the former Petrol Station on Church Street should not preclude the reinstatement or redevelopment of this site as a Petrol Filling Station and Shop.

On the **Proposal** of Councillor Brendan Barry

**Seconded** by Councillor Enda McGloin

Mr Bernard Greene, Senior Planner responded as follows:

The Planning Authority have no difficulty with this qualification being provided.

#### **Recommendation**

To include the following in the text on page 62 of the Written Statement for Drumshanbo in the Settlement Plan (Volume II) of the Draft Development Plan as follows:

*This objective does not preclude the recommencement of the former use of this petrol filling station and convenience store subject to such use not having become abandoned.*

Councillor Enda McGloin said there should be some pressure put on the owners to put this petrol station into use. Councillor Brendan Barry supported this.

On the **Proposal** of Councillor Brendan Barry

**Seconded** by Councillor Enda McGloin and **UNANIMOUSLY RESOLVED**

“To include the following in the text on page 62 of the Written Statement for Drumshanbo in the Settlement Plan (Volume II) of the Draft Development Plan as follows:

*This objective does not preclude the recommencement of the former use of this petrol filling station and convenience store subject to such use not having become abandoned”.*

### **Proposed Amendment 3**

That the lands identified in Keshcarrigan with a high probability of flooding be reviewed and amended based on that review.

On the **Proposal** of Councillor Brendan Barry

**Seconded** by Councillor Enda McGloin

Councillor Brendan Barry said he had never seen flooding here before and he said the lake and rivers drain away from the village.

Bernard Greene, Senior Planner responded as follows:

In 2009, the OPW and the then Department of the Environment and Local Government published Guidelines on flood risk management for Planning Authorities entitled ‘*The Planning System and Flood Risk Management - Guidelines for Planning Authorities*’. The Guidelines introduce mechanisms for the incorporation of flood risk identification, assessment and management into the planning process.

Leitrim County Council is required comply with the Guidelines in carrying out its functions under the Planning Acts, including the preparation of the County Development Plan. The emerging Strategic Flood Risk Assessment (SFRA) which informs the draft County Development Plan is based on the following Flood Zones that identify different probabilities of flood risk from rivers and the coast:

- Flood Zone A – where the probability of flooding from rivers and the sea is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding);
- Flood Zone B – where the probability of flooding from rivers and the sea is



moderate (between 0.1% or 1 in 1000 and 1% or 1 in 100 for river flooding and between 0.1% or 1 in 1000 year and 0.5% or 1 in 200 for coastal flooding); and

- Flood Zone C – where the probability of flooding from rivers and the sea is low (less than 0.1% or 1 in 1000 for both river and coastal flooding). Flood Zone C covers all other areas that are not in zones A or B.

These Flood Zones represent significant return periods (often referred to as the “1 in 100 year” and “1 in 1000 year” floods) – because of this, an absence of knowledge with regard to previous flood events is not an absence of risk.

The Flood Risk Zones must be based on the best, most up-to-date and available information and they are supported by in-field visits and ground truthing by professionals.

The Guidelines have significant implications for the appropriateness of different land use zoning objectives across the three Flood Zones identified. For example, the Guidelines generally do not permit for undeveloped lands in Flood Zone A to be zoned for uses vulnerable to flooding (such as *Residential*), although there are exceptions allowed for lands within/adjoining the settlement core subject to the passing of a number of strict, challenging criteria under the Justification Test.

### **Recommendation**

No amendment to the draft Development Plan is recommended on foot of this submission.

Councillor Des Guckian queried if Lough Scur could be lowered by 1 foot as it may resolve the issue.

Mr Greene said he was not sure if it could be and he said an Environmental Assessment would have to be carried out. He said he is unsure if this was the responsibility of the OPW or Waterways Ireland.

Mr Joseph Gilhooly said this is not the responsibility of Leitrim County Council.

Councillor Brendan Barry said he would accept the recommendation and would like to speak with the consultants that have carried out the Strategic Flood Risk Assessment study.

On the **Proposal** of Councillor Brendan Barry

**Seconded** by Councillor Enda McGloin and **UNANIMOUSLY RESOLVED**

“That no amendment to the draft Development Plan is recommended on foot of this submission.”

Cathaoirleach, Councillor Paddy O'Rourke thanked all members for their attendance and participation at the meeting.

Councillor Des Guckian said he believed that this has opened up this county for vulture funds and he said landlordism is back again.

Cathaoirleach, Cllr Paddy O'Rourke sought approval from the members to put the Draft county Development Plan on public display

On the **Proposal** of Councillor Mary Bohan

**Seconded** by Councillor Sean McDermott and **UNANIMOUSLY RESOLVED**

"That the Draft County Development Plan 2023-2029 be put on public display, with the series of amendment, in accordance with section 11(5)(c) of the Planning and Development Act 2000 (as amended)".

Councillor Mary Bohan complimented Cathaoirleach, Councillor Paddy O'Rourke on the manner in which meeting was conducted.

The Members extended a vote of sympathy to Cllr Paddy O'Rourke, his wife Rita and family of the death of Rita's brother Brian Gill, RIP.

Mr Lar Power, Chief Executive thanked all the Members for their participation and attendance at the meeting.

This concluded the business of the meeting at 4.09 pm.

**Signed:**

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**Cllr Paddy O'Rourke**  
**Cathaoirleach**

\_\_\_\_\_  
**Kieran Brett**  
**Meetings Administrator**

**Dated: Monday, 7<sup>th</sup> March 2022**