

Minutes of Special Meeting of Leitrim County Council held in the Council Chamber, Áras an Chontae, Carrick on Shannon on Monday 20th October 2008 at 5.00 pm.

Members Present:

Cllr Mary Bohan,	CllrSeanMcGowan,
Cllr Enda McGloin	Cllr Sean McDermott
Cllr Sinead Guckian	Cllr Caillian Ellis
Cllr Gordon Hughes	Cllr Thomas Mulligan
Cllr Tony Ferguson	Cllr Gerry Reynolds
Cllr John McTiernan	Cllr Aodh Flynn
Cllr Enda Stenson	Cllr Liam McElgunn
Cllr Frank Dolan	Cllr Gerry Dolan
Cllr Damien Brennan	

And Councillor Francis Gilmartin, Leas Cathaoirleach as Chairperson

Apologies

Cllr Martin Kenny
Cllr Michael Colreavy

Officials Present:

Ms. Jackie Maguire, County Manager
Mr. Martin Dolan, Director of Services, Planning, Environment & Emergency Services
Mr. Ciaran Tracey, Senior Planner
Mr. Paudge Keenehan, Assistant Planner
Ms. Carmelita Caslin, Senior Executive Officer, Planning
Mr. Vincent Dwyer, Senior Executive Officer, Infrastructure
Ms. Aideen McGovern, Senior Executive Officer, Housing & Corporate Services
Ms. Johanne Cox, Clerical Officer, Planning

Councillor Gilmartin welcomed members to the meeting. Ms. Jackie Maguire, County Manager outlined that the purpose of the meeting was to consider the Managers Report to the Elected Members on Submissions, Consultations and Public Meetings in relation to the Draft County Development Plan 2009-2015 which had been circulated, in accordance with the provisions of the Planning & Development Act 2000, in August 2008. The Report as circulated appears as **Appendix 1** to the Minutes of this meeting in the Minute Book.

Ms. Maguire also referred members to the report dated 2nd October 2008 from Mr. Martin Dolan, Director of Services, Planning, Environment and Emergency Services which is to be considered in conjunction with the Managers Report. She outlined that this report outlines the issues raised by Members at the various Council Meetings/ Workshops and from their ongoing deliberations. She outlined that this report includes a summary of the various submissions received and issues raised, the recommendation as to whether amendments to the Draft Plan are warranted and whether or not the individual amendments are considered to be a material alteration of the Draft Plan. The report as circulated appears as **Appendix 2** to the Minutes of this Meeting in the Minute Book.

Ms. Maguire outlined that the Members must consider and make their decision in relation to the recommendations in the Managers Report by 29th October 2008. She advised that, in accordance with Section 12(6) of the Planning & Development Act 2000, if following consideration of the Managers Report it appears to the Members that the Draft County Development Plan should be accepted or amended, they may by resolution, accept or amend the Draft and make the Development Plan accordingly. She outlined that if amendments are to be made to the Draft Plan a determination must be made in relation to whether each such amendment constitutes a material alteration to the Draft Plan. In the event that amendments which are material alterations are to be made to the Draft Plan these material alterations must then be put on public display. She outlined that it is a matter for the members to determine whether or not to adopt, or amend, each amendment. It is also a matter for the members whether or not to accept the guidance as to what is or is not considered to be a material alteration.

It was agreed that Mr. Martin Dolan, Director of Services would take the members through the individual submissions and recommendations arising therefrom and the Members would make their decision following the overview and consideration of the individual submissions.

Submission No. 1:

Health & Safety Authority – Major Accident Hazards involving dangerous Substances (Seveso Sites) - (page 4 of Manager’s Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed. It was agreed that this amendment did not constitute a material alteration of the Draft Plan.

Submission No. 2:

O.P.W – drainage and Flood Risk - (page 4-7 of Manager’s Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 3:

James & Eileen McGuinness – Zoning of Lands, Kinlough – (page 8 of Manager’s Report)

Councillor Ferguson outlined the importance of retaining the Primary Health Care Centre. Following discussion it was proposed by Councillor Tony Ferguson, seconded by Councillor Sean McDermott and unanimously resolved that the lands in question be zoned “Social & Community”.

Submission No. 4:

Central Fisheries Board – Protection of Inland Fish Species – (page 9 of Manager’s Report)

Councillor Reynolds queried whether planning applications are automatically referred to the Fisheries Boards. Mr. Ciaran Tracey, Senior Planner advised that all appropriate applications are referred to the relevant Fisheries Board. Councillor Ferguson queried the position arising from the announcement of the amalgamation of the Fisheries Boards. Mr. Dolan advised that the existing arrangements would continue pending notification of alternative arrangements. It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 5:

Rossinver Youth & Community Project Ltd – Zoning of Lands for Community Facility – (page 10 of Manager’s Report)

The Managers Recommendation in relation to the zoning of the site in question as ‘Social & Community’, as outlined in the Managers Report was proposed by Councillor Tony Ferguson, seconded by Councillor Sean McDermott and unanimously resolved.

Councillor Flynn queried whether it is a good idea to be zoning lands in areas as small as Rossinver. This was supported by Councillor Reynolds. Councillor Stenson queried the significance of zoning. Ms. Jackie Maguire, County Manager outlined that zoning provides for the orderly development of towns and villages and gives an indication to prospective developers in relation to the types of development that would be acceptable in a particular location. Mr. Ciaran Tracey, Senior Planner outlined that the larger towns have quite detailed zoning within them whereas the smaller villages are largely zoned Mixed Use Development with some specifics identified. He outlined that the zoning is intended as a flexible tool and individual applications continue to be considered on their own merits.

Submission No. 6:

Terry McManus – Zoning of Lands in Drumsna – (page 12-15 of Manager’s Report)

The Managers Recommendation in relation to the zoning of the site identified in the submission as ‘General’, as outlined in the Managers Report was unanimously agreed.

Submission No. 7:

John Flynn – Wide Ranging – (page 15-18 of Manager’s Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 8:

North West Regional Fisheries Board – Protection of Water Quality – (page 18-21 of Manager’s Report)

Councillor Guckian expressed concern that the requirements in relation to effluent treatment systems and minimum site sizes could be read as quite restrictive in relation to old/derelict cottages that are proposed to be renovated. This was supported by Councillor Gilmartin and Councillor Brennan.

Ms. Jackie Maguire, County Manager advised that she did not consider that the amendment as proposed would have a negative impact in relation to the renovation of derelict buildings. Mr. Martin Dolan, Director of Services outlined that the Draft Plan reiterates the Councils anxiety to see derelict buildings restored. He advised that each application is dealt with on its own merits but that the Planning Authority has to safeguard the environment. He stated that persons who wish to restore derelict houses and whose sites are less than the minimum of 0.3 hectares are encouraged to acquire adjacent land to bring the site up to the current minimum requirement, or to negotiate a wayleave agreement with an adjacent landowner for location of treatment system or percolation area, if it is not possible to purchase.

Councillor Reynolds indicated that he had a difficulty with the last sentence of the Managers recommendation on this submission – recommendation No. 5 in relation to

Section 2.05.06 of the Draft Plan in relation to road design and the impacts on flora and fauna and their habitats. He outlined that he did not think that the last sentence needed to be included "The design of the road shall have regard to the impacts on flora and fauna and their habitats". Ms. Jackie Maguire, County Manager advised that in all aspects of development regard must be had to the impacts on flora and fauna and their habitats. It was proposed by Councillor Reynolds, seconded by Councillor Enda McGloin and unanimously agreed that this sentence would be omitted.

Councillor Flynn outlined that there is no reference to allowing storage tanks to collect run-off rain water. Mr. Ciaran Tracey, Senior Planner suggested that a sentence be added to Point 4(c) of the Manager's Recommendation (Section 3.03.15) stating that water harvesting is encouraged. It was proposed by Councillor Flynn, seconded by Councillor McGowan and unanimously agreed that this sentence be included.

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed subject to the amendments as outlined above.

Submission No. 9:

Frank McTernan – Zoning of lands in Dromahair – (page 22-23 of Manager's Report)

Councillor McTernan outlined that he considered that the requested zoning should be allowed. This was supported by Councillor Bohan.

Mr. Ciaran Tracey, Senior Planner outlined that there were a number of difficulties with this site:

- (a) The area of land is not easily serviceable
- (b) The lands are adjacent to the Bonet River which is a special area of conservation.
- (c) The lands concerned are outside the area identified in the Dromahair Framework Plan as "Future expansion areas".

Following discussion the Managers Recommendation that the lands not be included within the village envelope, as outlined in the Managers Report, was agreed.

Submission No. 10:

Eamon Cosgrove – Zoning of lands in Dromahair – (page 23-24 of Manager's Report)

Mr. Martin Dolan, Director of Services referred members to the report in relation to Issue No. 3 arising from the Planning Meeting/Workshop held on 29th September 2008 as outlined in his report dated 2nd October 2008 (Appendix 2 refers). He outlined that revised maps were prepared of the land.

Councillor John McTernan outlined that the zoning of these lands will enhance the presentation coming into the village. He proposed that the lands as outlined on the revised maps detailed in Report dated 2nd October 2008 (Appendix 2) be zoned 'Primarily Residential'. This was seconded by Councillor Mary Bohan and unanimously agreed.

Submission No. 11:

John Phair – Housing in the Countryside – (page 24 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 12:

De Lacy Architects – Development of an eco-tourism lakeside resort – (page 24-27 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 13:

Martin Crinigan Design – Zoning of lands at Aghintass, Aghamore – (page 27-28 of Managers Report)

Councillor Reynolds queried why this area was not being zoned and why development was being discouraged at this location. He queried the position with regard to the Graig in this area as the site is located beside a school, church and shop. This was supported by Councillor McGowan who queried whether a pre-planning meeting had taken place.

Mr. Martin Dolan, Director of Services confirmed that a pre-planning meeting had taken place. He outlined that a decision had been taken as part of Variation No. 7 of the existing County Development Plan not to introduce zoning in Aghamore.

He outlined that a significant amount of development had already taken place adjoining the lands in this area and that there was also a proliferation of effluent treatment systems at this location.

Ms. Jackie Maguire, County Manager advised that any proposal in respect of this site would be considered on its own merits. She outlined however that the site is not easily serviceable and that Graigs were identified mainly for single houses and not for housing developments.

Mr. Ciaran Tracey, Senior Planner explained that Aghamore is divided by the N4 and that the future expansion of this area should take place along the minor road serving the Church and National School. He quoted from pg 39 of the Draft County Development Plan – **Aghamore** – “It is envisaged that further development of this settlement should take place along the southern side of the local road fronting the church and school”. Councillor Reynolds outlined that a policy which mitigates against the development of an area like Annaduff is unacceptable.

It was proposed by Councillor Reynolds, seconded by Councillor McGowan and unanimously agreed that the above sentence in relation to Aghamore be removed from the Draft Plan.

Submission No. 14:

Des Guckian, South Leitrim Heritage Group – Wide Ranging – (page 28-35 of Manager’s Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 15:

Eddie Wrynn – Zoning of Lands, Lahard, Ballinamore – (page 35-36 of Managers Report)

It was agreed that the zoning of these lands would be inappropriate and there was no change required to the Draft Plan arising from this submission.

Submission No. 16:

Sean McDermott – Tourism & Recreation in North Leitrim, Population growth, site size – (page 37-39 of Managers Report)

Councillor McDermott highlighted concerns that forestry can be allowed in locations where it is difficult to get planning permission. He outlined the view that housing development is preferable to forestry development. This was supported by the members. Councillor Gerry Dolan queried whether forestry developers can be compelled to cut back trees from river banks so as to keep waterways clear.

Mr. Martin Dolan, Director of Services outlined that forestry developments do not come within the remit of the planning process unless a minimum of 70 hectares is being planted. He outlined that there are requirements to have a management plan in place for forestry developments and that it may be possible to have such provisions included in such plans.

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 17:

N.R.A – NP roads within the County – (page 39-43 of Managers Report)

Councillor Reynolds expressed reservations in relation to the Managers Recommendation to insert Policy 2.6(d) into the Development Plan. He outlined that the Retail Planning Guidelines are in place and suggested that there was no need to reinforce this in the County Development Plan. Mr. Martin Dolan, Director of Services outlined that the sequential test comes into play in relation to all retail development proposals. Mr. Ciaran Tracey, Senior Planner suggested that if the Members so wished the last sentence of the proposed policy could be removed - "This policy also re-iterates/reflects the explicit presumption against large scale retailing adjacent to national routes, as presented in the Guidelines".

It was proposed by Councillor Gerry Reynolds, seconded by Councillor Enda McGloin and unanimously agreed that the Managers Recommendations in relation to the amendment of the Draft Plan, as outlined in the Managers Report, be accepted subject to the exclusion of the last line of proposed Policy 2.6(d) as outlined above.

Submission No. 18:

Brian Smyth – Housing in the Countryside and Farmers Markets – (page 44-45 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 19:

Brian Smyth – Protection of the character of Lurganboy and its surrounds – (page 46-47 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 20:

Noel O'Rourke – Development of Dowra – (page 48 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 21 & Submission No. 24:

Gislea Cornelius & Wilhelm Bodewigs – protection of views of Doon Lough – (page 49 & page 52 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed and adopted accordingly.

Submission No. 22:

Leitrim Organic Farmers – Provision of Allotments and Farmers Markets – (page 49 of Managers Report)

It was agreed that the issues raised in this submission were dealt with under Submission No 18.

Submission No. 23:

C.I.F – Construction and economic development – (page 50-51 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 25:

Clean Ltd – Protection of the Environment – (page 52-54 of Managers Report)

Councillor McGloin queried whether the Biodiversity Plan will have any impact for people applying for one off housing. Ms. Jackie Maguire, County Manager outlined that the Council is statutorily obliged to prepare a Local Biodiversity Plan.

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 26:

Joachim – Protection of the Environment – (page 55 of Managers Report)

It was agreed that the issues raised by this submission were dealt with under submission No 25.

Submission No. 27:

EirGrid – Provision of High Voltage Electrical Infrastructure – (page 55-56 of Managers Report)

Mr. Martin Dolan, Director of Services referred members to the report in relation to Issue No. 2 arising from the Planning Meeting/Workshop held on 29th September 2008 as outlined in his report dated 2nd October 2008 (Appendix 2 refers). He outlined that it had been agreed that the Managers Recommendation in relation to this submission be amended to exclude the word “overhead” in the statement “*The Council supports the provision for new electricity transmission infrastructure, including high voltage transformer stations and new overhead transmission power lines*”.

It was proposed by Councillor Colreavy, seconded by Councillor Gilmartin and

unanimously agreed that the Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report, be accepted subject to the exclusion of the word “overhead” as outlined above.

Submission No. 28:

Spatial Policy Section DoEHLG – Wide ranging – (page 56-62 of Managers Report)

Mr. Martin Dolan, Director of Services outlined that there were a number of recommendations arising from this submission. He also advised that a Circular had been received from the Department in relation to Rural Housing Policies and Local Need Criteria in Development Plans. He outlined that planning authorities are required to reflect the provisions in their County Development Plans. He outlined that a very minor amendment of the Draft Plan is all that is required in this regard.

Councillor Bohan outlined that members had received a letter from the Irish Rural Dwellers Association highlighting serious concern with the Department's interpretation of this matter. The members expressed concern at any attempt to further restrict the provision of rural housing. The Members also considered that the operation of telesales type work from rural homes should be acceptable to justify residency in a rural area. Members expressed concern that any restrictions would be placed in the new County Development Plan which might make it more difficult to obtain planning permission for a dwelling in a rural area.

Ms. Jackie Maguire, County Manager outlined that the provisions of the Draft Plan are very strong in terms of rural housing. She stated that activities such as telesales from the home are provided for in the Plan, which is generally very supportive of working from home.

Councillor Reynolds outlined that he strongly disagrees with the Rural Housing Policies in the Draft Plan as outlined in Policy 1.4c and 1.4d and items 1, 2, 3, (i) & (ii) and Policy 1.4e and items 1, 2 and 3 on page 42 of the Draft County Development Plan. He stated that he is proposing that these restrictions be removed as he feels they are preventing people from securing planning permission for one-off houses. He also outlined that he considers that this policy is restricting people from coming into the County when we should be promoting the County. A number of the members supported this view while others expressed concerns.

Ms. Jackie Maguire, County Manager outlined that the County Development Plan must be in compliance with Government policy and in particular with the Sustainable Rural Housing Guidelines issued by the Department. She advised that the Draft Plan has interpreted and reflected those Guidelines. She advised that the Draft Plan is very strong in terms of a positive rural housing policy.

Councillor Reynolds stated that it is a matter for the members to develop the County Development Plan. He stated that it is open to the Department to send the Plan back to Leitrim County Council if they are dissatisfied with its provisions.

Following discussion it was agreed that the consideration of the Rural Housing policies in the Draft Plan would be deferred to the end of the meeting, following consideration of the submissions.

The Managers Report in relation to Submission No. 28 was considered. The Managers Recommendations in relation to the amendment of the Draft Plan, as outlined in the Managers Report, with the exception of the recommendation in relation to the amendment of Policy 1.4c to Policy 1.4(d), Policy 1.4e and the insertion of definitions at the end of Section 2.01.04 which are to be excluded (page 58 & 59 of Managers Report refers), were unanimously agreed and adopted accordingly.

Submission No. 29:

Dept of Ed. & Science – Provision of Educational Infrastructure Services and Facilities – (page 62-63 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed and adopted accordingly.

Submission No. 30:

Kiltyclogher Community Council – Forestry – (page 63-64 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed and adopted accordingly.

Submission No. 31:

Brian Kenny – Wide ranging – Focus settlement strategy, water quality, waste management and renewable energy - (page 64-68 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed and adopted accordingly.

Submission No. 32:

Brian Kenny – Wide ranging – (page 68 of Managers Report)

It was agreed that the issues raised by this submission were dealt with under submission No 31.

Submission No. 33:

DTZ – Retailing – (page 68-69 of Managers Report)

Councillor Reynolds queried the position in relation to the Retail Strategy. Mr. Martin Dolan, Director of Services advised that the Retail Strategy would be reviewed following the review of the County Development Plan.

Councillor Brennan suggested that the Design Guide for Rural Houses should also be reviewed at that point.

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 34:

John Dowdican – Access to the seashore at Tullaghan – (page 69-71 of Managers Report)

Mr. Martin Dolan, Director of Services referred members to the report in relation to Issue No. 1 arising from the Planning Meeting/Workshop held on 29th September 2008 as outlined in his report dated 2nd October 2008 (Appendix 2 refers). He outlined that it had been agreed that the Managers Recommendation in relation to this submission be strengthened in line with the further proposed amendments as outlined in that report.

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report and as strengthened in Report dated 2nd October 2008 (Issue No. 1) was unanimously agreed and adopted accordingly.

Submission No. 35:

John Spain Associates – Development of tourism, residential, sports and amenity/leisure facility – (page 72-73 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 36:

Eugene Sweeney – Re-zoning of lands, Clooneen, Manorhamilton – (page 73-74 of Managers Report)

Councillor Frank Dolan queried the Managers Recommendation in relation to this submission. Mr. Martin Dolan, Director of Services outlined that this area is zoned primarily residential and is well removed from the mixed use zoning associated with the town centre. He outlined that it is not recommended that the zoning be changed and any application to develop the lands would be dealt with on its merits.

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 37 & Submission No. 40:

Denis Flynn – Zoning of lands, Carrick on Shannon – (page 74-76 of Managers Report)

It was clarified that the Preferred Route Corridor for the Carrick-On-Shannon Bypass traverses the lands in question.

It was agreed that the zoning of these lands would be inappropriate and there was no change required to the Draft Plan arising from this submission.

Submission No. 38:

Development Applications Unit, DoEHLG – Protection of Archaeological Heritage – (page 77 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 39:

Ballinamore Area Community Council Ltd – Wide ranging – focus on development in Ballinamore Area – (page 77-79 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed and adopted accordingly.

Councillor Hughes highlighted the importance of routes R202 & R199 as south/north routes and stated that their importance should be highlighted to the NRA.

Submission No. 40:

Bridget Flynn – Zoning of lands, Carrick on Shannon – (page 79-82 of Managers Report)

It was clarified that the Preferred Route Corridor for the Carrick-On-Shannon Bypass traverses the lands in question.

It was agreed that the zoning of these lands would be inappropriate and there was no change required to the Draft Plan arising from this submission.

Submission No. 41:

Roger Garland for Keep Ireland Open – Wide ranging – focus on protection of the environment – (page 82-85 of Managers Report)

The Managers Recommendations in relation to the amendment of the Draft Plan, as outlined in the Managers Report were unanimously agreed and adopted accordingly.

Councillor Ferguson outlined the need for a clause in relation to the protection of the rights of individual land owners. It was proposed by Councillor Ferguson, seconded by Councillor Gilmartin and unanimously resolved that the following be added to the Draft County Development Plan in this regard - *“The rights of landowners should be respected by those using the countryside”*.

Submission No. 42:

Cordination Unit, Department of Communications, Energy and Natural Resources – No concerns/issues raised

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 43:

Late Submission – Leitrim Alternative Energy Group – sustainable development – focus on use of alternative energy – (page 87-91)

Members outlined that they considered that the Draft County Development Plan needed strengthening to encourage the expansion of windfarm development at locations that are deemed to be suitable. Councillor McDermott stated that it was necessary to make it easier to get permission for windfarm developments, particularly in North Leitrim. Mr. Paudge Keenaghan, Assistant Planner outlined that it is proposed to carry out an energy plan for the County. He also outlined that it is also proposed that a more flexible approach would apply in areas of low capacity.

In relation to Waste Water Treatment, it was agreed following discussion that the Managers Recommendation in relation to the amendment of the Draft Plan (page 89) be amended to allow for ‘other suitable alternative treatment systems’ to be considered in the case of the replacement of poorly functioning systems.

The Managers Recommendations in relation to the amendment of the Draft Plan, as outlined in the Managers Report were unanimously agreed and adopted subject to the amendment to Section 3.02.06 in relation to poorly functioning septic tanks as outlined above.

Submission No. 44:

Late Submission – Peg Sheehan, Shannon Erne Guild of Folk Artists – Development of culture, heritage, amenity, folk art, traditional village in Ballinamore Area – (page 92 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 45:

Late Submission – Mary Mulvey – Eco-Tourism focus on development of “Greenbox” – (page 93-94 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 46:

Late Submission – Phelim O’Rourke – Wind Energy - (page 94-96 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 47:

Councillor Tony Ferguson – Wide ranging – (page 104 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 48:

Councillor Sean McDermott – Wind Farms and the need to protect stone, sand and gravel reserves in the County – (page 106-107 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

Submission No. 49:

Councillor Michael Colreavy – Engagement of local residents/businesses by developers, the promotion of rural areas, infrastructural improvements and the sustainable development of rural areas – (page 107 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

Submission No. 50:

Councillor John McTiernan – Zoning of lands at Dromahair – (page 108-109 of Managers Report)

It was agreed that the zoning of these lands would be inappropriate and there was no change required to the Draft Plan arising from this submission.

Submission No. 51:

Councillor Enda McGloin – Zoning of lands at Drumshanbo – (page 109-111 of Managers Report)

Mr. Martin Dolan, Director of Services referred members to the report in relation to Issue No. 4 arising from the Planning Meeting/Workshop held on 29th September 2008 as outlined in his report dated 2nd October 2008 (Appendix 2 refers). He outlined that revised maps were prepared of the land and it is proposed that a significantly reduced portion of lands as outlined on the map included in the report is proposed to be zoned ‘Primarily Residential’.

It was proposed by Councillor Enda McGloin, seconded by Councillor John McTiernan and unanimously agreed that the lands as outlined on the revised maps detailed in Report dated 2nd October 2008 (Appendix 2) be zoned ‘Primarily Residential’.

Submission No. 52:

Councillor Frank Dolan – Wide Ranging – (page 111-112 of Managers Report)

It was agreed that there was no change required to the Draft Plan arising from this submission.

General Issues arising under Section 2.4 – (page 101-103 of Managers Report)

The Managers Recommendations in relation to the amendment of the Draft Plan, as outlined in the Managers Report were unanimously agreed.

General Issues arising under Section 2.5 – (page 113-114 of Managers Report)

The Managers Recommendation in relation to the amendment of the Draft Plan, as outlined in the Managers Report was unanimously agreed.

General Issues arising under Section 2.6 – (page 115-123 of Managers Report)

The Managers Recommendations in relation to the amendment of the Draft Plan, as outlined in the Managers Report were unanimously agreed.

- Rural Housing Policy

The Members reverted to discussion on the issue of Rural Housing policy arising from Submission No. 28.

Councillor Gerry Reynolds stated that he has huge difficulty with the wording of the policies in relation to one-off rural housing. He stated that these policies are too restrictive and Leitrim must be encouraging as many people as possible to come and live in the county. He stated that there should be no 'low capacity' areas within County Leitrim for rural development and proposed that the policies in relation to areas of high, medium and low capacity for rural housing be removed and also the policies in relation to the Graigs. He stated that Leitrim should take the lead in relation to promoting rural development. He stated that the only restrictions to be applied in relation to rural housing should be traffic and environmental.

Councillor Bohan outlined that very considerable time had been taken in considering the rural housing policies in the last County Development Plan and in the current Draft Plan. She stated that all members want to make it easier for applicants to get planning permission. She expressed reservations in relation to the removal of all policies in relation to rural housing, particularly in the context of appeals of decisions to An Bord Pleanála. She stated that the members needed to ensure that the County Development Plan reflects what is best for the people of the county and people who want to come and live in Leitrim.

Ms. Jackie Maguire, County Manager outlined that Planning Guidelines and Regulations do not permit unrestricted provision of rural housing. She strongly cautioned the members that the removal of the rural housing planning policies in the Draft Plan would be contrary to the proper planning and sustainable development of the area. She stated that allowing one-off rural housing everywhere is not acceptable. She advised that the current and proposed policies and approach are very favourable towards rural housing and every effort is made to allow one-off housing. She stated that the policies as proposed in the Draft Plan strengthen the policies of the existing County Development Plan and direct prospective applicants in relation to where they are more likely to get planning permission. She stated that

there are sites where planning permission simply will not be given. She recognised that this can present a difficulty for members but stated that this must be accepted. She stated that a balanced approach must be adopted.

Councillor Brennan outlined that there is a need to encourage more people into the county. He stated that changes to the policy were necessary as current problems faced by people seeking permission for one-off houses are undermining the excellent progress achieved by the Council in the provision of infrastructure and facilities. He stressed the need for greater population growth especially in rural areas currently affected by dwindling school numbers and the possible loss of other services because of low population figures.

Mr. Martin Dolan, Director of Services outlined that Leitrim has one of the most proactive Development Plans in the country in terms of its rural housing policies. He outlined that a very substantial number of one-off houses have been granted permission. He explained that while the general presumption in the current County Development Plan and in the Draft County Development Plan is in favour of applicants who wish to develop in rural areas, nevertheless the Planning Authority has to make sure the environment is protected and he cautioned against removing the basic requirements and stated that the Guidelines have to be adhered to.

Councillor Ferguson supported the need to develop and expand rural communities throughout the county. He queried whether the new County Development Plan will be better than the last Plan for areas like Glencar which haven't really benefited from population growth. Mr. Ciaran Tracey, Senior Planner outlined that the whole thrust of the rural housing policies is to encourage rural development and to facilitate a greater evenness of distribution of that development.

Councillor McDermott outlined concerns in relation to Occupancy Clauses on rural housing permissions. This was supported by the Members. Mr. Martin Dolan, Director of Services outlined that Section 47 Agreements have been used very sparingly. He stated that they are only used where the Planning Authority has serious concerns regarding an application and in situations where planning permission could not otherwise have been granted. He outlined that if we don't have such policies we are left with no defence in the event of an appeal of such decisions.

Councillor Reynolds outlined that he understood that the executive must point out the guidelines to Members. He outlined however that he had considered the matter carefully and that he fundamentally disagrees with the concept of high, medium and low capacity areas. He outlined that he considers that these policies are more restrictive than the current County Development Plan in relation to rural housing. He stated that in hindsight the current County Development Plan is too restrictive. He stated that the members must promote people coming to live in the county and outlined that this is the only opportunity for the members to make these changes. He suggested that if the Department have a difficulty with the Plan they can come and debate it with the members.

Councillor Hughes supported the proposal to remove the policies in relation to the low, medium and high capacity areas. This was also supported by Councillor McGowan and Councillor Brennan. Councillor Flynn outlined that he was supportive of the removal of the low capacity areas. Councillor Ferguson outlined that he recognised the level of work and consideration that had gone into the preparation of

the Draft Plan. He outlined concern however that the capacity of zoned lands available in a particular area would mitigate against people looking to build on their own lands. Councillor Bohan again expressed concern in relation to not having policies in the Development Plan and how this might have a negative impact particularly in the case of appeals of decisions. Councillor Gilmartin outlined that he is very much in favour of people building on their own lands and being able to sell on a site. He expressed concerns however in relation to the need for some policy position.

Ms. Jackie Maguire, County Manager outlined that the rural housing policies as outlined on Page 42 of the Draft Plan are not meant to be restrictive. She outlined that the policies are intended to make things clearer and to provide a set of criteria against which applications can be assessed. She outlined that the removal of these clauses will make it more difficult to get planning particularly in areas of low capacity. She outlined that there is a presumption in favour of locals in the low capacity areas. She cautioned members against the removal of these policies and strongly advised members that they must have regard to National Guidelines and policy and the proper planning and sustainable development of the area. She outlined that the Plan must be submitted to the Department. She advised that it is likely that the Plan will be returned if it does not contain appropriate policies and provisions and she advised that the members may not have much control over what may be instructed to be included in terms of rural housing policies.

Following further consideration it was proposed by Councillor Damian Brennan, seconded by Councillor Gordon Hughes and unanimously resolved that instead of having three capacity areas - High Capacity, Medium Capacity and Low Capacity areas - the Draft Plan would reflect two capacity areas - High Capacity and Medium Capacity – with all areas proposed to be designated as Low Capacity in the Draft Plan to be redesignated as Medium Capacity.

It was unanimously agreed following the proposal of Councillor Damian Brennan, and seconded by Councillor Sean McGowan that Policy 1.4(e) would be omitted from the Draft Development Plan and a new point 4 would be inserted at Policy 1.4(d) to read as follows:

“Persons who would propose to live full time in that area of the County and would make an economic and social contribution towards the development of that local area”

It was further agreed that reference to definitions in the Managers Report (page 59) would be omitted.

It was proposed by Councillor Damian Brennan, seconded by Councillor Gordon Hughes and unanimously resolved that the medium capacity area around Garadice Lake would be reduced by way of an amendment and that a medium capacity buffer zone would be retained around the lake. A map indicating the area concerned is included in **Appendix 3** to the Minutes of this meeting in the Minute Book.

It was proposed by Councillor Sean McGowan, seconded by Councillor Damian Brennan and unanimously resolved that the Area of Low capacity leading from Farnaght to the County boundary near Drumlish be omitted. A map indicating the area concerned is included in **Appendix 3** to the Minutes of this meeting in the Minute Book.

- **Zoning, Ballinamore**

Councillor Hughes proposed that a site alongside the R202 and in the area of the Convent at Ballinamore be re-zoned from Social & Community to Mixed-Use. Ms. Jackie Maguire, County Manager advised that the site was very small and surrounded by schools and that any application on the site could, if appropriate, be dealt with by way of Material Contravention of the Development Plan. She outlined that the density proposed for the site at a pre-planning meeting was excessive and an alternative more appropriate proposal could be considered.

It was proposed by Councillor Gordon Hughes, seconded by Councillor Gerry Reynolds and unanimously resolved that an area of land at this location, as marked on a map of the Town be rezoned Mixed Use. A map indicating the area concerned is included in **Appendix 3** to the Minutes of this meeting in the Minute Book.

- **Signage**

Councillor Guckian raised S3.03.06 of the Draft County Development Plan in relation to signage in towns and stated that people are being refused permission for signage, with this section of the existing Development Plan being quoted in such refusals. She stated that if we are to be so restrictive in relation to signage she was of the view that this policy should not be carried forward into the new Plan. She stated that we need a policy that assists promoting facilities in the county. This was strongly supported by Councillor Reynolds.

Mr. Martin Dolan, Director of Services agreed that a comprehensive policy on signage needs to be prepared and outlined that he proposes to bring proposals before the Planning Policy Strategic Policy Committee shortly.

- **Zoning, Kinlough**

Councillor Ferguson proposed that an area to the north of the village of Kinlough on both sides of the R280 and along the Barr road be zoned Residential. Ms. Jackie Maguire, County Manager stated that she would not be in favour of this proposed amendment.

It was proposed by Councillor Tony Ferguson, seconded by Councillor Sean McGowan and unanimously resolved that an area to the north of the village of Kinlough on both sides of the R280 and along the Barr road be zoned Residential. The area concerned was marked B on a map of Kinlough. A map indicating the area concerned is included in **Appendix 3** to the Minutes of this meeting in the Minute Book.

- **Ribbon Development**

Councillor Reynolds raised S3.02.02 of the Draft County Development Plan in relation to Ribbon Development. He stated that more one-off-houses should be allowed in rural areas. Ms. Jackie Maguire, County Manger outlined that ribbon development must be a consideration when determining a planning application and such development can give rise to environmental issues in relation to effluent treatment etc.

- **Open Space Provisions in Housing Schemes**

Councillor Reynolds highlighted issues in relation to the maintenance of open spaces in housing schemes. He stated that large open green areas in housing schemes are inappropriate and he suggested that S3.02.12 of the Draft Development Plan in relation to Open Space Provision in Housing Schemes should reflect this. Ms. Jackie Maguire, County Manager outlined that the preference is for the open space to be broken up and Mr. Martin Dolan, Director of Services outlined that this provision is already in the Draft County Development Plan.

- **Car Parking Requirements – Industrial/Commercial Development**

Councillor Reynolds outlined concern in relation to the provisions of S3.03.01 of the Draft Plan in relation to Industrial/Commercial Development. He quoted the following extract from this section - "Car Parking areas shall be landscaped and planted with trees to minimise the visual impact". Councillor Reynolds outlined that landscaping in a retail area can be very problematic and requested that this sentence be amended to read "Car Parking areas shall be landscaped **where appropriate** and the surrounds planted with trees to minimise the visual impact". It was agreed by the members that the Draft Plan would be amended accordingly.

- **Petrol Stations:**

Councillor Reynolds outlined concern in relation to the provisions of S3.03.05 of the Draft Plan in relation to Petrol Stations. He quoted the following extract from this section - "Retail sales from petrol filling stations will be limited to those required to meet local need and will not usually involve outside storage or display. The operational requirements of the filling stations must remain unaffected". Councillor Reynolds outlined that he considered that the reference to 'outside storage or display' should be removed from the Draft Plan. This was agreed by the members.

Following discussion it was agreed that all of the amendments to the Draft Plan would be placed on public display as Material Alterations to the Draft County Development Plan.

Proposed by Councillor Sean McGowan, seconded by Councillor Gordon Hughes and unanimously resolved that the amendments as agreed be made to the Draft Plan and that all of the amendments to the Draft Plan be placed on public display as Material Alterations to the Draft County Development Plan.

This concluded the business of the meeting at 10.45pm.

Signed: Francis Gilmartin
Cathaoirleach

Signed: Aideen McGovern
Senior Executive Officer

Date: 1st December 2008