

Review of Sligo County Development Plan 2005-2011
and preparation of the CDP 2011-2017

Third Manager's Report
on submissions and observations
relating to the proposed amendments
of the Draft CDP 2011-2017

Sligo County Council
Development
Planning Unit

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1. Introduction

The Proposed Amendments to the Draft *Sligo County Development Plan 2011-2017* (CDP) were on public display from 9 February to 9 March 2011 (both dates included).

The Proposed Amendments included 147 material changes to Volume 1 (main document) the Draft CDP, 83 changes to Volume 2 (Mini-plans), 41 changes to the Draft Record of Protected Structures and 10 changes to the Environmental Report.

During this public consultation period, Sligo County Council received 16 submissions and observations on the Proposed Amendments, of which 2 related to protected structures. Two submissions were received after the deadline.

Three submissions were received between the second and the third stage of public consultation. Two were considered late for the second stage and one was considered early for the third stage of consultation.

All late and early submissions are addressed in this Manager's Report.

The **Third Manager's Report** summarises the issues raised in the submissions and gives the Manager's response to these issues, including recommendations as to whether or not the Proposed Amendments to the Draft Plan or Draft RPS should be adopted.

How the Manager's Report is organised

On receipt, each submission was allocated an official reference number, in the order in which they were received. Where the Manager recommends minor modifications to the text of any proposed amendments, these are shown in **green type like this**.

All modifications recommended by the Manager are minor and do not represent material changes of the proposed amendments.

The first section of this Report addresses the submissions relating to proposed amendments to Volumes 1 and 2 of the Draft Development Plan, received during the consultation period of 9 February to 9 March 2011.

The second section addresses the submissions received in relation to the proposed amendments to the Draft RPS.

The third section deals with submissions received outside the current and the previous public consultation periods.

A list of persons and organisations that made submissions is included in the final section of the Manager's Report.

The role of the elected members

Deciding whether to adopt, to reject or to make minor modifications to the proposed amendments to the Draft Plan is a function reserved for the elected members of Sligo County Council.

At this stage, the members are required to consider the Proposed Amendments and the Manager's recommendations contained in this Report. According to Section 12 (10)(of the Planning and Development Act 2000 (as amended),

- (a) The members of the authority shall, by resolution, having considered the manager's report, make the plan with or without the proposed amendment that would, if made, be a material alteration, except that where they decide to accept the amendment they may do so subject to any modifications to the amendments as they consider appropriate, which may include the making of a further modification to the alteration and paragraph (c) shall apply in relation to any further modification.

...

- (c) A further modification to the alteration—
 - (i) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,
 - (ii) shall not be made where it relates to—
 - (I) an increase in the area of land zoned for any purpose, or
 - (II) an addition to or deletion from the record of protected structures.

Furthermore,

“In making the development plan ... the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any minister of the Government.” (S. 12 (11))

Having considered the Proposed Amendments and the Manager’s recommendations on the issues raised, the Members should adopt the development plan.

What happens next

Once the County Council has made the development plan, it has to notify the public, the Minister, the prescribed authorities, adjoining planning authorities, An Bord Pleanala and the County Development Board. A copy of the development plan must be made available for inspection at stated places.

The development plan comes into effect four weeks from the day that it is made.

However, according to Section 31(1) of the Planning and Development Act (as amended in 2010):

Where the Minister is of the opinion that—

- (a) a planning authority, in making a development plan, a variation of a development plan, or a local area plan (in this section referred to as a ‘plan’) has ignored, or has not taken sufficient account of submissions or observations made by the Minister to the planning authority under section 12, 13 or 20,
- (b) in the case of a plan, the plan fails to set out an overall strategy for the proper planning and sustainable development of the area,
- (c) the plan is not in compliance with the requirements of this Act, or
- (d) if applicable, having received a submission prepared under section 31C or 31D (inserted by section 95 of the Act of 2008) that a plan of a planning authority in the Greater Dublin Area (GDA) is not consistent with the transport strategy of the National Transport Authority,

the Minister may in accordance with this section, for stated reasons, direct a planning authority to take such specified measures as he or she may require in relation to that plan.

2. Response to submissions on proposed amendments to the Draft County Development Plan 2011-2017

Submission no. 1

7 March 2011

Yvonne Dalton, Planning Manager
on behalf of Dublin Airport Authority

The Authority has no comments on the proposed amendments of the Draft Sligo County Development Plan.

Opinion

Noted.

Recommendation

No change to the Proposed Amendments or the Draft Plan.

Submission no. 2

7 March 2011

E.C. Gavin (Gavin Engineering)
on behalf of Gilleece Brothers Construction

The submission is in relation to the Grange Mini-Plan, more specifically to the Proposed Amendment A36-2 which proposes to change the zoning objective of a 23-acre site from 'buffer zone' to a combination of 'residential uses' (approximately 17 acres or 6.88 hectares) and 'community facilities' (approximately 6 acres or 2.42 hectares to accommodate the provision of a 'burial ground' and 'soccer pitch, training ground and club house').

The submission attempts to address concerns regarding pedestrian and vehicular access and states that Gilleece Brothers Construction are willing to provide a footpath and public lighting between the existing facilities at Pine Grove and the proposed community facilities. It is also stated that the road would be widened as necessary and the submission contends that these works, along with the strengthening of the two bridges, is technically possible. It is stated that the proposal has been discussed with adjacent landowners who have agreed to these works.

Opinion

A. Concerns regarding the excessive amount of lands zoned for residential development

These lands and the proposed residential/community facility development were discussed in the Second Manager's Report, which along with a number of other submissions raised fundamental concerns in relation to the zoning of any additional land for residential uses in Grange having regard to the following:

- Grange is categorised as a Principal Gateway Satellite and has a recommended population level of 600 for the year 2017 in accordance with the Core Strategy of the Draft County Development Plan. The Draft Plan estimates a population of 493 persons for Grange in 2010. Attaining the recommended population level would involve a growth of 21.7% compared to the 4.6% experienced throughout the County between the years 2002 and 2006.

- During the 2011-2017 period, it is envisaged that the residential requirements of Grange will be met through a combination of existing vacant properties and new housing development on lands zoned for residential development. The Draft CDP estimates that there are 24 vacant residential units in the village, which would have the capacity to accommodate a further 53 persons. Approximately 2.05 hectares of additional land would be needed to meet new housing requirements during the plan period.
- This requirement has already been met in the Draft CDP with the Grange Mini-Plan including 6.12 hectares of greenfield land zoned for residential development, and 3.3 hectares of greenfield land zoned for mixed uses (which includes residential development). These lands have the potential to provide at least 100 residential units which would accommodate a further population of 220 persons.
- Therefore the Draft Mini-Plan can already accommodate a potential population increase of 273 persons (i.e. the combined capacity of vacant housing and zoned lands), which would represent a 55% increase on the existing village population.
- Of the lands zoned in the Draft Mini-Plan, it should be noted that planning permission has already been granted for a further 46 residential units.
- The wastewater treatment system in the village has a design capacity of just 280 PE (population equivalent) and is currently significantly overloaded. Whilst there are plans to provide a new plant with increased capacity, progression of this scheme will be subject to the availability of funding and resources.
- Cumulatively, the submissions received at Draft Plan stage requested that a total of approximately 12 hectares of additional land be zoned for residential uses. This would have resulted in the potential for the provision of least a further 144 houses or 316 persons. When added to the existing capacity of the Draft Mini-Plan (273 persons as outlined above), this would have resulted in a potential additional population of 589 persons and a potential total population of 1082 compared to the recommended population level of 600.
- This would have represented a 119% increase on the current village population and on the basis of the details outlined above the Second Manager's Report concluded that there was clearly no justification to zone additional land for residential development in Grange.

B. Details agreed at Council Meeting of 24 January 2011

In responding to each individual submission that requested a residential zoning in Grange, the Second Manager's Report recommended that each request should be rejected. It should be noted that in all cases, with the exception of the Gilleece Brothers lands, these recommendations were adopted by the Council members. However, this was a particularly significant exception given that the Gilleece Brothers submission accounted for approximately 6.88 hectares of the 12 hectares which was requested to be zoned for residential uses at Draft Plan stage. The proposal to zone this 6.88 hectare plot for residential uses now forms part of Proposed Amendment A36-2.

It is also a particularly significant exception given that the Draft Grange Mini-plan proposes to remove an additional 21 hectares of land which is currently zoned for residential purposes. This has been agreed by Council members, which would appear to be in direct conflict with Proposed Amendment A36-2.

The Core Strategy of the Draft CDP indicates that the total amount of land proposed to be zoned for residential uses in the County (at 194.73 hectares) shall not exceed the RPG allocation of 195 hectares. There are therefore concerns of over-zoning given that Proposed Amendment A36-2 will add 6.88 hectares to this total and thereby exceed the RPG allocation.

These 6.88 hectares would have the potential to provide at least 82 houses which would accommodate a further population of approximately 180 persons. Taken together with the existing capacity of the Draft Mini-plan (273 persons as outlined above), this would result in a potential additional population of 453 persons and a potential total population of 946 compared to the recommended population level of 600. This would also represent a potential 92% increase on the current village population by 2017 which is wholly unjustified and inconsistent with the Core Strategy of the CDP.

C. Unsuitable location of the subject lands

In addition to the fundamental concerns regarding the zoning of additional land for residential uses in Grange, there are serious concerns regarding the detached location of the subject lands. These lands are proposed to be zoned as 'buffer zone' in accordance with the Draft CDP and are significantly detached from the development limit of the Grange mini-plan. The aim of the Buffer Zone is to consolidate settlements within the development limit, to safeguard land for future expansion and to protect the natural amenity and conservation value of the surrounding area. The zoning of the lands for residential and community uses would therefore conflict with these aims and would encourage further sporadic development at this location.

D. Vehicular and pedestrian access

There are also serious concerns regarding vehicular and pedestrian access to the subject site. The site is significantly detached from the existing village centre (at a distance which varies up to approximately 1.5 kilometres) and is located along a narrow county road (L-7209).

Given the distance between the site and the village centre in the first instance, pedestrian access would be extremely difficult particularly for the elderly and the younger residents. Furthermore, the pedestrian facilities between the site and the village centre are substandard or non-existent.

The site is located approximately 750 metres from the nearest footpath at the Pine Grove housing development. This section of footpath only extends for approximately 100 metres and is followed by a further section of road which has no footpath for approximately 150 metres. Any proposal to extend a footpath from the site to Pine Grove would not therefore address existing deficiencies. Similarly, whilst there is no public lighting south of Pine Grove, even the existing lighting connecting north to the village would require upgrading to cater for any such proposal.

Of particular concern in this regard is that the site is located significantly outside the 50 km/h speed limit zone and therefore any such proposal would raise serious pedestrian and vehicular traffic hazard concerns.

Vehicular access is also severely restricted. The road is substandard in terms of width and the site connects to the village centre over three bridges – two humped bridges and one Protected Structure (Grange Bridge, Newtown). Options for bridge modification are inherently restricted given the prevailing heritage and structural considerations in this instance.

Development at a scale of that proposed at this location would require major upgrading of the road, bridges and associated pedestrian facilities between the site and village centre in order to adequately address pedestrian and vehicular traffic hazard concerns. Whilst it is noted that this submission attempts to address these issues, it is considered that the proposals submitted are seriously inadequate.

E. Community facilities

The Draft CDP adopts a flexible and supportive approach towards provision of community facilities. Whilst such facilities should preferably be located within the development limits of settlements, the Draft CDP does not preclude their location in rural areas subject to site suitability and other standard assessment. It should be noted that community facilities (including burial grounds and playing pitches)

are developments that are ‘open to consideration’ within the ‘Buffer Zone’ as outlined in the Zoning Matrix (chapter 13 of the Draft CDP).

There is therefore no requirement to zone the subject lands for the purpose of accommodating such facilities as the lands are already zoned as ‘buffer zone’. It should be noted however that any such proposal at this location would be subject to standard assessment, particularly in relation to the access concerns outlined previously.

The Draft Grange Mini-Plan already proposes over 20 hectares for community facilities, open space and sports and playing fields. Much of this land has been appropriately zoned together so that individual facilities can easily expand and individual groups and clubs can benefit from the use of shared facilities. The proposed community facility zoning would also be in conflict with this approach.

F. Site characteristics, drainage and flooding

There are serious concerns in relation to the drainage of these lands. There is a stream running along the eastern boundary of the lands and there is evidence of flooding in the fields which bound this stream. It is particularly noteworthy that the lands proposed for ‘community facilities’ are of poor quality with extensive evidence of poor drainage. The lands also slope steeply down to the stream to the east. Taken together with the drainage issues outlined above, there are concerns regarding the suitability of these lands as playing pitches.

It should also be noted that Sligo County Council has not carried out detailed testing of these lands regarding their suitability for use as a burial ground. However, initial examination would raise serious concerns having regard to drainage characteristics.

G. N15 National Primary Road Realignment

It should be noted that the NRA submission (see Submission no. 3) also raises concerns regarding the isolated nature of this site and non-compliance with the sequential growth approach. However, the NRA is primarily concerned that A36-2 will have significant implications for the proposed N15 Sligo – County Boundary Scheme including the link to Grange.

The Authority considers that zoning or development objectives should not have the effect of increasing the cost of land to be acquired for national roads schemes. Such proposals, while potentially bringing major financial gains to the property owners involved, would be at variance with the broader public interest.

In addition – it is noted – no transport assessment supports the zoning objective to demonstrate that the additional zoning will not undermine the capacity or function of future road improvements in the area.

The NRA requests that the proposed zoning amendment be reviewed to take into account:

- the impact on the delivery of the N15 Sligo–County Boundary Scheme;
- additional infrastructural requirements generated by additional development which is remote from the village;
- potential costs associated with the above and funding arrangements.

In this regard the Manager concurs with the NRA submission in that no transport assessment supports the proposed zoning objective to demonstrate that the additional zoning will not undermine the capacity or function of future road improvements in the area.

H. Conclusion

Having regard to the serious concerns outlined above, it is considered that Proposed Amendment A36-2 should not be adopted and that the lands should remain zoned as 'buffer zone' as proposed in the Draft CDP.

Recommendation

Omit the proposed amendment A36-2 from the final CDP.

Submission no. 3

7 March 2011

Michael McCormack, Policy Advisor (Planning)
on behalf of the National Roads Authority

The Authority acknowledges the consideration of the NRA observations submitted in relation to the Draft Plan and welcomes the proposed amendments that have resulted on foot of that submission.

Issue no. 1

The Authority indicates that the proposed amendments A 5-5, A 8-2, A 8-6 and A 12-12 incorrectly identify the *Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities* as issued by the NRA. The Guidelines were in fact issued by the DoEHLG and the Department of Transport.

Opinion

It is acknowledged that the Draft Guidelines were issued by the DoEHLG, not by the NRA.

Recommendation

In the final version of the County Development Plan, identify the *Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities* as issued by the DoEHLG.

Issue no. 2

The NRA recommends that the proposed amendment A 10-15 be further modified in order to provide clarification so that policy would not be interpreted in a manner that would undermine future road schemes or other projects that are themselves included as objectives in the Plan.

Opinion

The proposed amendment to policy **P-FRM-2** reads as follows:

P-FRM-2 Establish a 20-metre-wide strip/buffer zone around lakes and along both sides of all rivers, and a 50-metre-wide buffer zone from soft shorelines. Development proposals will be required to maintain these buffer zones free from development...

It is considered reasonable to exclude strategic road projects from this requirement, as such projects would necessarily be subject to the stringent requirements of Environmental Impact Assessment and Natura Impact Assessment if proposed in sensitive coastal/lake shore/riparian areas. The text of P-FRM-2 should be modified accordingly.

Recommendation

Modify the proposed amendment A 10-15 as follows (modifications in green/bold):

- P-FRM-2** Establish a 20-metre-wide strip/buffer zone around lakes and along both sides of all rivers, **and a 50-metre-wide buffer zone from soft shorelines**. Development proposals will be required to maintain these buffer zones free from development. Exceptions to this may be considered for **strategic roads projects**, river banks enhancement works, bridge and road repair works, in the case of brownfield sites and in cases where the maintenance of the buffer zone is not practically achievable. In such cases a reduced buffer width may be accepted and any such cases will be assessed on an individual basis.

Issue no. 3

The NRA notes the proposed amendment A 12-13 and the change to the fourth bullet point of **Section 12.6.2 Access to the road network** as follows:

- industrial or commercial development **of national or regional strategic importance** will be considered where it is locationally tied to a fixed resource or where it will have a major beneficial effect on the development and economy of the surrounding area.

It is stated, however, that the *Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities* “clearly indicate that the identification of exceptional circumstances should be subject to a plan-led approach and be with the agreement of the NRA”. The Authority requests that Section 12.6.2 would more accurately reflect the official policy provisions of the Guidelines, by indicating that exceptions would only be brought forward in a plan-led manner.

Opinion

It is agreed to indicate that exceptions will only be permitted where they are brought forward in a plan-led manner. The fourth bullet point should be modified as requested.

Recommendation

Modify the proposed amendment A 12-13 as follows:

- industrial or commercial development **of national or regional strategic importance** will be considered where it is locationally tied to a fixed resource or where it will have a major beneficial effect on the development and economy of the surrounding area. **Where new industrial or commercial development is not an objective of the Development Plan, such development will be considered only in exceptional circumstances (as per the *Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities – Section 2.5*) on the basis of a masterplan or local area plan prepared in consultation with the National Roads Authority.**

Issue no. 4

In the opinion of the NRA, as already outlined in the submission on the Draft Plan, the inclusion of P-N2000-1 to P-N2000-4 (relating to proposed roads and other linear infrastructure crossing Natura 2000 sites) deviates from the requirements of Articles 6(3) and 6(4) of the Habitats Directive. The Authority reiterates its requests that the Council use the wording of the Directive, “in the interests of clarity”.

Opinion

The inclusion in Section 8.3 of specific policies for roads (and other linear infrastructure) crossing Natura 2000 sites (P-N2000-1 to P-N2000-4) is simply an extension of the more general objectives for European and national designated natural heritage sites included in Section 7.1.2 Habitats Directive Assessment (Appropriate Assessment).

It is considered that the Draft Plan, together with the proposed amendments to relevant objectives in Sections 7.1.2 and 8.3, contains sufficiently clear policies/objectives and is fully in compliance with the provisions of the Habitats Directive.

Recommendation

No change to the Draft Plan or proposed amendments in respect of this issue.

Issue no. 5

The Authority's initial submission identified an extensive business and enterprise zone located to the west of the village of Ballysadare, on the south side of the N59, and recommended that an objective be included in the mini-plan to allow access to the lands only within the 50 km/h speed limit.

The NRA is concerned that the proposed amendment A 20-2 would extend this zoning designation further, and recommends the "review" of this zoning objective in light of access requirements and official policy.

Opinion

The NRA's initial submission was discussed in the Second Manager's Report (submission no.57). In accordance with the NRA recommendations the Manager recommended that the following objective should be included in Chapter 13 Mini-plans – general policies:

Access to lands from national road will only be permitted within the 50 km/h speed limit of the settlement, in accordance with the National Roads Authority's publication Spatial Planning and National Roads (draft) Guidelines for Planning Authorities.

At the Council meeting of 17 January 2011 the members agreed to reject this recommendation.

It should be noted that the Draft CDP already contains a number of policies which address this issue. In Volume 2, section 13.7, objective A requires shared access arrangements for new business, enterprise or industrial units, where possible.

On the first page in Chapter 13 (Volume 2), it is indicated that 'Each individual mini-plan must be read in conjunction with this chapter (Chapter 13). Furthermore, it should be noted that the policies and objectives outlined in the main CDP document (Volume 1, chapters 1 to 12) apply to all areas covered by the mini-plans.'

In this context, the proposed amendments A 8-2 and A 12-12 should suffice in protecting the N59 outside the 50 km/h speed limit:

A 8-2

SP-MOB-8: Proposed policy

Protect the traffic carrying capacity of national roads, the level of service they deliver and the period over which they continue to perform efficiently, by avoiding the creation of new access points or the generation of increased traffic from existing accesses onto the N4, N15, N16, N17 and N59 outside the 50 km/h speed limit, in accordance with the National Roads Authority's publication *Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities*.

A 12-12

Section 12.6.2: Proposed paragraph

It is the NRA's policy to avoid the creation of new access points or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 50 km/h apply. In accordance with this national policy and in the interest of safe traffic flow, it is the policy of the Council not to permit any new means of access along national roads N4, N15, N16, N17 and N59 outside the 50 km/h speed limit, in accordance with the National Roads Authority's publication *Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities*, in order to protect these roads. Limited exceptions may be considered as follows, provided the proposed access can be shown not to cause a traffic hazard:

Furthermore it is considered that current 50 km/h speed limit zones can be reviewed where appropriate, and the Planning Authority will have regard to the comments of the NRA at individual planning application stage in relation to any proposed access onto the national road network.

Recommendation

No change to the proposed amendments or the Draft Plan.

Issue no. 6

The NRA's initial submission noted that major road schemes planned for the Collooney area had not been identified on the Objectives Map or referred to in the text of the mini-plan. The Authority notes the proposed amendments in this regard, but considers that the map amendments "do not appear to accurately reflect the position in relation to the N4 Collooney to Castlebaldwin Scheme and the N17 Collooney to Tobercurry Scheme is not detailed at all".

Opinion

It is considered that the proposed amendments correctly reflect the national roads objectives applicable to the N4 and the N17. However, a number of corrections are necessary as follows:

- in addition to the N17, the text of the proposed amendments A 27-6 should have referred to the N4, in accordance with the illustration on the Collooney Zoning Map (Proposed Amendments).
- the Collooney Zoning Map should be modified to include the buffer zones along the N17, as specified in the proposed amendment A 27-6.

It is not considered necessary to include detailed design schemes on the Objectives Maps for any of the mini-plans, as these maps are simple/symbolic illustrations of the written statement/policies and objectives of the Development Plan.

Recommendation

Modify the Collooney Zoning Map to indicate the 10-metre buffer zones along each side of the N17, as specified in the proposed amendment A 27-6.

Issue no. 7

The NRA notes that the proposed amendment A 27-8 conflicts with the proposed amendment A 27-3 and, in addition, has the potential to generate additional trips of a local nature on the national road network, thus undermining the primary function of this network, i.e. to facilitate inter-urban and inter-regional traffic.

The Authority considers that A 27-8 has the potential to negatively affect the capacity and operational efficiency of the national road, with consequences for connectivity between the Gateway of Sligo and the Greater Dublin Area. Therefore, it is the opinion of the NRA that A 27-8 also conflicts with the strategic policy SP-MOB-8 (which protects the carrying capacity of national roads) and with mobility objectives contained in Section 8.1 of the Draft Plan.

The NRA also indicates that paragraph 26 of the Retail Planning Guidelines contains an explicit presumption against retail development adjacent to existing, new or planned national roads. The Authority advises that, if necessary, it would appeal any decision to grant planning permission where it considers that investment in national roads would be undermined.

The Authority requests that the proposed amendment A 27-8 is not adopted.

Opinion

The Manager agrees with the comments of the NRA in this regard. The proposed amendment (A27-8) conflicts with mobility objectives contained in Section 8.1 of the Draft Plan and in particular with strategic policy SP-MOB-8 (which is proposed to be amended under A8-2).

The proposed amendment has the potential to generate additional trips of a local nature on the national road network, thus undermining the primary function of this network, i.e. to facilitate inter-urban and inter-regional traffic. This has the potential to negatively affect the capacity and operational efficiency of the national road, with consequences for connectivity between the Gateway of Sligo and the Greater Dublin Area.

In addition to the National Roads issues there are also various fundamental concerns in relation to A27-8 and it is also acknowledged that it would conflict with A27-3. This is discussed in detail below.

A. Details previously outlined and agreed in Second Manager's Report

These lands were the subject of numerous submissions which were previously discussed in the Second Manager's Report (submissions 75-79, 81-89, 91). All of these submissions related to lands to the east of the N4 which were proposed to be zoned for business and enterprise uses in the Draft CDP.

A significant portion of these lands has already been developed and is mainly comprised of various business / retail parks. Of particular note is the scale of retail / retail warehousing development which has taken place at this location and the current high level of vacancy.

The main issues raised in the majority of submissions relate to further retail / retail warehousing development at this location, along with further flexibility to allow uses such as retail showroom, discount stores, amusement arcade, transport depot, swimming pool, leisure and other general uses.

In response to these submissions, the Second Manager's Report outlined serious concerns in relation to any such proposal with reference to relevant policy documents as follows:

The Sligo City and County Joint Retail Planning Strategy 2010 – 2017

The Sligo City and County Joint Retail Planning Strategy 2010–2017 identified that there was 3,997 sq.m. of occupied retail warehousing floor space within Collooney, with a further 4,775 sq.m. of vacant retail warehousing floor space. Given recent economic conditions and retail trends, it is likely that vacancy rates have increased significantly since 2008. Furthermore, planning permission had been granted for an additional 5,702 sq.m. of retail warehousing floor space at this location, giving a potential overall retail warehousing floor space of almost 15,000 sq.m.

To put this in context, there is a total of 32,442 sq.m. of retail warehousing floor space in the entire County, including 23,864 sq.m. in Sligo City and Environs. Collooney could therefore potentially account for almost half of all the retail warehouse floor space in County Sligo.

The strategy identifies Sligo City as the County's main focal point in retail terms and highlights its importance as a key retail centre for a hinterland extending beyond the county boundaries. The existing allocations for further retail warehousing in the Environs area (at Carrowroe and Lisnalurg) are supported in the strategy but the capacity analysis does not support the case for further such allocations throughout the county.

In relation to Collooney, the strategy recommends a restriction on further retail warehousing and highlights the need to focus retail investment in the village centre.

The Sligo and Environs Development Plan 2010–2016

The SEDP incorporates the recommendations of the Retail Strategy and again identifies Sligo City as the primary retail centre in the County and the focus for comparison retail development. It is stated that the Carrowroe and North Fringe (Lisnalurg) Retail Parks will ensure a north-south balance and may help reduce the amount of retail warehousing scattered around the Docklands.

It is stated that careful monitoring is required to ensure that Sligo City can continue to provide an appropriate scale and quality of retail floor space, sufficient to meet the needs of its future population and fulfil its strategic role within the North-West.

The Draft Sligo County Development Plan 2011–2017

Consistent with the above documents, the Draft CDP recognises the mono-nodal nature of the County and acknowledges that most new retail floor space will be provided in Sligo City during the plan period. Prospects of growth in the smaller towns of the County are limited and the thrust of development plan policy is to maintain and enhance the existing retail environment to serve and benefit local communities.

Retail planning policy **P-RP-7** generally discourages retail outlets in excess of 500 sq.m. within the County as developments of this size are clearly intended to serve more than a local catchment and therefore would be more suitably located within Sligo City and Environs area.

Retail planning objective **O-RP-2** aims to restrict the further development of retail warehousing in Collooney and encourages the conversion of vacant units to appropriate alternative uses.

Section **4.1.4 Industry and enterprise locations** states that Collooney, originally earmarked for the development of an enterprise park, has seen the short-lived development of retail warehousing, to the detriment of Sligo Retail Park. It is stated that development at this location should revert to the originally intended industrial/enterprise use and that the proliferation of retail warehousing outside the Gateway should be curtailed.

The Retail Planning Guidelines for Planning Authorities 2005

The guidelines state that out-of centre retail developments should not be allowed if their provision is likely to lead to a reduction in the range of local facilities in towns and villages. In relation to retail warehousing it is stated that adverse impacts on town centres should be avoided if appropriately controlled. It is also stated that retail parks in the range of 8,000–15,000 sq.m. (i.e. similar to that already permitted in Collooney) have the potential to adversely impact on smaller town centres.

Furthermore, the Guidelines also discourage large retail centres located adjacent to or close to existing, new or planned national roads as this can lead to the inefficient use of costly and valuable infrastructure and may have the potential to undermine the regional / national role of the roads concerned. This is particularly relevant given the location of the subject lands along the N4 National Primary Route.

Second Manager's Report on submissions relating to the Draft CDP

It must also be noted that submission no. 57 (National Roads Authority) in the Second Manager's Report welcomed proposals to restrict further retail warehousing development at this location.

The report went on to outline that the Draft CDP has adopted a two-pronged approach towards the consideration of proposals on these lands. Firstly, new development proposals (i.e. on greenfield sites) shall be restricted to business and enterprise uses only. Secondly, a more flexible approach is adopted towards existing vacant properties in an attempt to address vacancy rates. However, in both cases, new retail or retail warehousing development is not permitted under any circumstances. This approach was considered appropriate having regard to the concerns outlined in above.

It should be noted that the zoning matrix is intended to serve as a general guide for development throughout the County and can not be considered exhaustive or definitive. However the report noted that the Collooney mini-plan makes reference to the matrix in section 27.7.A by stating "Lands zoned for business, enterprise and light industry shall be restricted to uses that are consistent with this zoning category, as outlined in the zoning matrix". It should be noted that this policy would relate to new developments only and would not affect existing units that were permitted as retail warehousing or otherwise. Given the scale and variety of development that has occurred at this location, and having regard to the concerns outlined above, it is considered appropriate that any further development should be limited to business and enterprise development only. However, the Second Manager's Report recommended that revised wording should be used to clarify that this relates to **new developments only**.

The more flexible approach towards existing vacant units is reflected in section 27.7.B, which states that "**In addition to details set out in the zoning matrix**, the planning authority will consider a range of suitable uses for these properties, including activities relating to the creative industries, recreational and cultural uses, exhibitions etc". It was considered that this approach should be retained. However, having reviewed this policy, the Second Manager's Report recommended that reference to the zoning matrix should be amended in order to avoid any confusion regarding the intended flexibility of this approach.

Given that the zoning matrix is only intended to serve as a general guide for development, it was not considered appropriate to address these specific Collooney issues by amending the matrix. However, given that a number of potential uses were raised in these submissions, it was considered appropriate to discuss the suggestions. In this regard the report stated that the planning authority would continue to discourage retail, discount stores and retail warehousing on all lands and units to the east of the N4. Retail showrooms would also be undesirable unless the showroom was a small element of a larger manufacturing / wholesaling use.

Section 27.7.B of the Draft Plan states that consideration will be given to recreational proposals in existing vacant units. This could therefore potentially accommodate the suggested amusement arcade / swimming pool / leisure uses. However, such proposals would not be accommodated on greenfield sites as they would be restricted solely to business and enterprise uses.

However, in relation to the proposed use as a 'transport depot', the report noted that this was 'normally not permitted' within 'business and enterprise' areas. Such a potential use should be distinguished from public transport facilities and should generally be 'open to consideration' on lands zoned for 'business and enterprise'. Therefore, whilst this issue does not exclusively relate to the subject lands, it was recommended that the general matrix should be amended to leave such uses 'open to consideration'.

In summary, the Second Manager's Report considered that the existing policies of the Draft CDP and Draft Collooney Mini-Plan are appropriate subject to some minor clarifications, summarised as follows:

- that these policies should apply to new developments only and therefore extant planning permissions would not be affected;
- that whilst appropriate consideration will be given to the zoning matrix, it will not prove to be an absolute determining factor in the consideration of uses for existing vacant properties on these lands;
- that the zoning matrix should be changed to indicate that a 'transport depot' use will be 'open to consideration' on business and enterprise lands.

Therefore, in accordance with the above, the report put forward the following recommendations:

A) **Section 27.7** should be amended by deleting the text **in red**, and replacing it with the text **in blue**:

Proposals for new developments on lands zoned for ~~business, enterprise and light industry~~ **business and enterprise** shall be restricted to uses that are consistent with this zoning category, as outlined in the zoning matrix. Retail or retail warehousing developments will not be permitted under any circumstances.

Subject to the proper planning and sustainable development of the area, ~~and particularly compliance with point A above~~, a flexible and supportive approach will be adopted towards proposals for alternative uses for existing vacant properties on these lands. ~~In addition to details set out in the zoning matrix,~~ **notwithstanding the details set out in the zoning matrix**, the planning authority will consider a range of suitable uses for these properties, including activities relating to the creative industries, recreational and cultural uses, exhibitions etc. **Again however, further retail or retail warehousing developments will not be permitted under any circumstances.**

B) The **Zoning matrix** should be amended to indicate that a 'transport depot' will be 'open to consideration' within lands zoned as 'business and enterprise'.

These recommendations were **adopted** at the Council meeting of 24 January 2011 and accordingly are outlined as Proposed Amendment A 27-3.

B. Resolution agreed at Council meeting of 24 January 2011

As set out in Proposed Amendment A 27-8, the Council members agreed a motion as follows:

"That the Zoning Matrix associated with lands covered in submissions 75-79, 81-89 at Collooney be amended to permit retail warehousing, retail showroom, amusement arcade, transport depots and other leisure uses. This should apply to all lands with existing planning in this area and should not be restrictive against new development/business on these lands".

Having regard to the policies and objectives contained in the Draft CDP, together with all the other Proposed Amendments, the response to each of the individual uses requested in A27-8 is as follows:

Retail warehousing

As outlined in the Retail Strategy above, planning permission has already been granted for a total of approximately 15,000 square metres of retail warehousing floor space on these lands (only 4,000 of which was occupied) and the Retail Strategy and Draft CDP outline that there is no justification to allow additional retail warehousing in Collooney. For this and the various other reasons outlined above, retail warehousing (other than that already permitted) should not be permitted in Collooney.

Retail showroom

This particular use is not covered in the zoning matrix of the Draft CDP. However, in accordance with established practice, such a proposal would generally be permitted if it formed a minor element of a larger manufacturing / wholesale proposal. It is considered that this is already satisfactorily covered in the Draft CDP and therefore no change is required.

Amusement arcade

The Draft CDP zoning matrix indicates that such a proposal would generally not be permitted at this location. However in relation to existing vacant units at this location, and as outlined in Proposed Amendment A 27-3, notwithstanding the zoning matrix, the planning authority would consider a range of possible uses, including such recreational uses.

Transport depot

As outlined in Proposed Amendment A13-5, “a transport depot will be open to consideration within lands zoned for business and enterprise”. Therefore there is no objection to, nor requirement for this aspect of A27-8.

Leisure uses

Leisure uses are not specifically included in the zoning matrix of the Draft CDP. However the matrix does include ‘recreational buildings (commercial)’ and ‘recreational facility / sports club’ and furthermore indicates that such uses are ‘open to consideration’ within Business and enterprise lands. It is considered that this would adequately cover ‘leisure uses’ and therefore there is no objection to, nor requirement for this aspect of A27-8.

C. Conclusion

Having regard to the details outlined in sections **A** and **B** above, it is clear that there is a contradiction between the recommendation adopted in the Second Manager’s Report (A27-3) and the resolution adopted at the Council meeting of 24 January (A27-8).

Section **B** has established that, taking into account the Draft CDP and other Proposed Amendments, only one of the five uses (retail warehousing) requested in A27-8 could not be permitted at this location. The other four uses (retail showroom, amusement arcade, transport depot, leisure) are open to consideration depending on appropriate scale, location and assessment of other standard criteria.

The main outstanding issue is therefore that of permitting further retail warehousing at this location as proposed in A27-8. In this regard, the Manager concurs with the concerns raised by the NRA submission and reiterates objection to proposed amendment A27-8 for the following reasons:

- the need to focus investment and development in the Gateway of Sligo City in order to strengthen its retail role, and to aid its transition from a third-tier to a second-tier shopping centre in the national hierarchy;
- to encourage retail development at an appropriate scale relative to the size and projected role of Collooney. Currently there is an extremely high retail vacancy rate in Collooney which clearly demonstrates that there is no need for additional retail warehousing at this location. A restriction on further development would help focus investment into the existing vacant units;
- retail / retail warehousing development at this scale clearly has potential to adversely impact on the vitality and viability of the existing small village centre in Collooney, thereby diminishing the range of activities and services that it can support and causing an increase in the number of vacant properties in the primary retail area;

- further development of retail development on the lands to the east of the N4 may lead to an inefficient use of costly and valuable infrastructure and may have the potential to undermine the regional / national transport role of the road concerned;
- the short-lived development of retail warehousing has adversely affected the potential for development of these lands for industry and enterprise, as originally planned.
- the proposed amendment conflicts with mobility objectives contained in Section 8.1 of the Draft Plan and in particular with strategic policy SP-MOB-8.
- the proposed amendment has the potential to generate additional trips of a local nature on the national road network, thus undermining the primary function of this network, i.e. to facilitate inter-urban and inter-regional traffic. This has the potential to negatively affect the capacity and operational efficiency of the national road, with consequences for connectivity between the Gateway of Sligo and the Greater Dublin Area.

Recommendation

Omit the proposed amendment A 27-8 from the final CDP 2011-2017.

Issue no. 8

In relation to the proposed amendment A 36-2, the NRA notes that the lands concerned are isolated from the consolidated village area, do not appear to represent a logical sequential growth of the village, and may have significant implications for the proposed N15 Sligo–County Boundary Scheme, including the link to Grange.

The Authority considers that zoning or development objectives should not have the effect of increasing the cost of land to be acquired for national roads schemes. Such proposals, while potentially bringing major financial gains to the property owners involved, would be at variance with the broader public interest.

In addition – it is noted – no transport assessment supports the zoning objective to demonstrate that the additional zoning will not undermine the capacity or function of future road improvements in the area.

The NRA requests that the proposed zoning amendment be reviewed to take into account:

- the impact on the delivery of the N15 Sligo–County Boundary Scheme;
- additional infrastructural requirements generated by additional development which is remote from the village;
- potential costs associated with the above and funding arrangements.

Opinion

Proposed Amendment A36-2 has been dealt with comprehensively in response to Submission no. 2 (Gilleece Brothers). In summary, the Manager concurs with the concerns raised by the NRA regarding the isolated location of the site, non-compliance with the principle of sequential growth, and the additional infrastructural requirements generated by such an isolated proposal.

Furthermore, no transport assessment supports the proposed zoning objective to demonstrate that the additional zoning will not undermine the capacity or function of future road improvements in the area.

It is therefore considered that Proposed Amendment A36-2 should not be adopted and that the lands should remain zoned as ‘buffer zone’ as proposed in the Draft CDP.

Recommendation

Omit the proposed amendment A 36-2 from the final CDP 2011-2017.

Submission no. 4

8 March 2011

Matt Donnelly, Director
Border Regional Authority

Issue no. 1

The Regional Authority notes that the population, housing demand and housing land requirement outlined in the Draft Development Plan are generally aligned with the framework of principles outlined in Chapter 3 of the Regional Planning Guidelines 2010 – 2016 (RPGs). The Regional Authority considers however that some of the amendments to the Draft Plan should be re-considered to provide for the proper planning and sustainable development of the County over the plan period and to ensure consistency with the Regional Planning Guidelines in accordance with Section 27 of the Act.

The proposed amendment **A 5-4** to the rural housing policy is not considered consistent with the overall population, housing and settlement strategy of the Draft Plan. The amendment should be reconsidered and further amended to bring it in line with other relevant policies of the Draft Plan.

Opinion

The proposed amendment **A 5-4** refines the definition of rural housing need by specifying, inter alia, that:

...

b. persons who have no family lands but who wish to build their first home in the area, on a site within a **8-km** radius of their original family home, within the rural community in which they have spent a substantial and continuous part of their lives;

and

c. persons with a vital link to the rural community in which they wish to reside, by reason of having lived in this community for a **minimum period of 5 years** or by the existence in this community of long-established ties with **immediate** family members;

It is considered that a distance of **5 km** from the family home (point b) and a minimum period of **7 years** (point c) would be more appropriate, in order to avoid excessive laxity of the definition of rural housing need. A weak/overly permissive definition of rural housing need would lead to accelerated growth of single house developments in the area under the urban influence and would undermine the development of the Gateway, thus conflicting with the Core Strategy provisions of the Draft Plan:

- **core aim CA-2** – To adequately provide for the growth of Sligo towards a target population of up to 74,000 by 2017, structured in a balanced manner between the Gateway City of Sligo (up to 34,000) and the wider area of County Sligo (up to 40,000), encompassing the consolidation of Key Support Towns and smaller settlements, and the maintenance of viable rural communities in the hinterlands of these towns and villages.
- **strategic goals SG-2** – Carefully managing development patterns, **SG-5** – Promoting effective transportation, **SG-6** – Delivering improved infrastructure;
- **strategic spatial development policies SP-SD-1** – Promote residential and employment growth in the Gateway City of Sligo; **SP-SD-5** – Outside the Gateway, direct growth into towns and villages and promote compact settlement forms; **SP-SD-10** – Carefully manage

Recommendation

Modify the proposed amendment **A 5-4** by replacing 8 km with **5 km** in point b and by replacing 5 years with **7 years** in point c.

Issue no. 2

The BRA indicates that the proposed amendment **A 27-8** is in direct conflict with proposed amendment A 27-3. The proposed amendment undermines the Retail Planning Strategy for the County and no reasonable justification has been put forward for its inclusion in the plan. This issue has also been considered in detail within the second Manager's Report, where the opinion of the Manager was that retail warehousing should not be permissible on the subject lands.

The proposed amendment **A 27-8** should be re-considered in line with the Manager's Opinion.

Opinion

Please refer to the Manager's opinion and recommendations relating to Submission no. 3 (NRA).

Recommendation

Omit the proposed amendment A 27-8 from the final CDP 2011-2017.

Issue no. 3

The Regional Authority considers that the proposed amendment **A 36-2** to the Grange Zoning Map is not consistent with the overall population, housing and settlement strategy of the Draft Plan and therefore, the Regional Planning Guidelines. The addition of these lands is considered in detail in the Second Manager's Report. There are solid arguments provided in the report against the zoning of the subject lands. The opinion of the Manager was that the lands should remain as 'buffer zone'.

This amendment should be re-considered in line with the Manager's Opinion.

The proposed amendment **A 36-2** should be re-considered in line with the Manager's Opinion.

Opinion

Please refer to the Manager's opinion and recommendations relating to Submission no. 2 (Gilleece).

Recommendation

Omit the proposed amendment A 36-2 from the final CDP 2011-2017.

Submission no. 5

8 March 2011

Mike Healy

on behalf of Cliffoney/Grange Youth Soccer Club

This submission refers to Proposed Amendment A 36-2 and welcomes the proposed zoning of the Gilleece lands in the Grange Mini-plan for residential and community uses. It is stated that the developers have promised to develop a soccer pitch and dressing rooms on this site for the use of Cliffoney/Grange Youth Soccer Club.

The submission outlines the perceived benefits of this proposal as follows:

- the development of a larger playing pitch would cater better for the club's needs as their current pitch at North Sligo Sports Complex has limited opportunities for expansion and is too small, particularly to cater for the older age groups;
- an additional pitch is needed in any case in order to cater for the growth of the club and the proposal by Gilleece Brothers represents an excellent opportunity;
- the club plays an important role in community development.

Opinion

Proposed Amendment A 36-2 has been dealt with comprehensively in response to Submission no. 2 (Gilleece). The response highlights that a 'community facility' zoning designation is not necessary for the accommodation of a playing pitch and that any such proposal would be 'open to consideration' within the Buffer Zone. Therefore, irrespective of the zoning of these lands, the proposal for the development of a playing pitch and associated facilities could be accommodated subject to normal site suitability assessment. The suitability of vehicular and pedestrian access to the proposed facilities would be particularly important given the concerns outlined in response to Submission no. 2.

The response also raised serious concerns in relation to site characteristics, conflict with the N15 realignment project, and outlined the availability of more suitable sites in Grange.

Having regard to the above, along with the concerns outlined regarding the zoning of additional land for residential uses and vehicular / pedestrian access to the subject lands, it is considered that the proposed amendment A 36-2 should not be adopted and that the lands should remain zoned as 'buffer zone' as proposed in the Draft CDP.

Recommendation

Omit the proposed amendment A 36-2 from the final CDP 2011-2017.

Submission no. 6

8 March 2011

Deirdre Maher, Executive Officer

on behalf of the Forward Planning Section, Department of Education and Skills

The Department notes the proposed amendments and has no further comments to make.

Opinion

Noted.

Recommendation

No change to the proposed amendments or the Draft Plan.

Submission no. 7

8 March 2011

Desmond Kennedy

This submission refers to the Ballincar Mini-Plan and objects to the proposed amendment A 17-8.

It would appear that these lands are located to the rear of Mr Kennedy's house and the submission raises concerns regarding loss of privacy and noise pollution.

Opinion

The provision of community facilities is an important element in the development of any settlement and it was therefore considered appropriate to reserve land for this purpose in the Ballincar Mini-Plan. The subject lands are considered appropriate for community facilities, given the infill nature of the site, its close proximity to the proposed village centre and its central location in relation to surrounding residential areas.

The proposed 'community facilities' zoning designation would incorporate a wide variety of possible uses as outlined in the Zoning Matrix. It is therefore not considered that an adverse impact on the residential amenities of adjoining properties can be identified at this stage. Any such proposal would be assessed at planning application stage and appropriate mitigation measures would be incorporated.

Recommendation

No change to the proposed amendments or the Draft CDP.

Submission no. 8

8 March 2011

McDermott, Creed & Martyn Solicitors, on behalf of CassCon Ltd.

The submission relates to lands at Ballyweelin, Rosses Point, requesting that these lands retain their current zoning for 'residential uses' as per CDP 2005-2011. In addition to this request, concerns are raised regarding the procedures followed at the special meeting of Sligo County Council on 24 January 2011 at which the Council members defeated a motion which proposed to retain the residential zoning of the subject site in accordance with section 3.8 of the current CDP 2005-2011.

Opinion

Whilst it is acknowledged that the subject lands are zoned for 'residential uses' in accordance with section 3.8 of the CDP 2005-2011, the Draft CDP 2011-2017 does not propose any zoning objective for the lands.

When the Draft CDP went on public display, the lands were the subject of two submissions which both requested that the lands (along with adjoining lands) be zoned for residential uses. The Second Manager's report then recommended that both requests be rejected and that the Draft CDP and Rosses Point Mini-plan should not be changed in this regard. These recommendations were ultimately adopted by the Members at the Council meeting on 24 January 2011.

However, during the Council meeting of 24 January 2011 these lands were also the subject of two motions submitted by Council members. The first motion (proposed by Cllr Michael Clarke and seconded by Cllr Deirdre Healy McGowan) read "*that Sligo County Council retain the zoned serviced land at Ballyweelin Rosses Point as shown on County Development Plan Map*". This motion was subsequently withdrawn.

Another motion was then submitted (again proposed by Cllr Clarke and seconded by Cllr Healy McGowan) which read “*To amend the submission referred to the land located to the east of Rosses Point village and requests that the lands in question retain their residential zoning in accordance with section 3.8 of the current CDP*”. This motion was subsequently defeated in a vote of Council members.

Given that no amendments were agreed in relation to these lands, no reference was made to the lands in the Proposed Amendments which were on public display from 9th February to 9th March. At this stage of the Development Plan process, only issues contained in the Proposed Amendments can be considered. In consequence, these lands at Ballyweelin cannot be considered any further.

Therefore, in accordance with agreed recommendation of the Second Manager’s Report, these lands must remain outside the development limit and plan limit of the Rosses Point Mini-Plan and no zoning objective whatsoever will apply to the lands.

Recommendation

No change to the proposed amendments or the Draft CDP.

Submission no. 9

8 March 2011

Barry & Angela McSweeney and others

This submission relates to the Grange Mini-Plan and is made on behalf of 13 local residents. It relates to the proposed amendment A3 6-2 – to change the zoning objective of a 23-acre site from ‘buffer zone’ to a combination of ‘residential uses’ (approximately 17 acres or 6.88 hectares) and ‘community facilities’ (approximately 6 acres or 2.42 hectares to accommodate the provision of a ‘burial ground’ and ‘soccer pitch, training ground and club house’).

The submission calls on Councillors to reject the proposed amendment on the basis that there is already adequate zoned and serviced land, unfinished buildings and vacant sites in Grange to cater for new development.

Serious concerns are raised in relation to the proposed zoning as follows:

- failure to grasp the link between irresponsible zoning, the property bubble and the economic crisis;
- the uneconomic cost of providing the necessary services and infrastructure;
- conflict with the advice of the government’s *Advisory Group on Unfinished Housing Developments* which supports the approach of the Draft CDP towards restricting further housing development in such cases;
- the likelihood that An Bord Pleanála would refuse any such proposal;
- unnecessary urban sprawl into good agricultural land;
- the availability of more suitable options for the provision of community facilities within the village;
- the car-dependent nature of the proposal and the inadequate capacity of the road network to cater for the additional traffic likely to be generated by any such proposed development;
- the inadequate capacity of wastewater treatment facilities; and

- the lack of public consultation carried out by the promoters of the proposed community facilities.

Opinion

The proposed amendment A 36-2 has been addressed comprehensively in response to Submission no. 2 (Gilleece). In summary, the Manager concurs with the contents of Submission no. 9 regarding the absence of demand for additional residential land, the inadequate capacity of services and infrastructure to cater for the additional demands of any such proposal, and the availability of better options to deal with the accommodation of community facilities.

It is therefore considered that Proposed Amendment A 36-2 should not be adopted and that the lands should remain zoned as 'buffer zone' as proposed in the Draft CDP.

Recommendation

Omit the proposed amendment A 36-2 from the final CDP 2011-2017.

Submission no. 12

9 March 2011

Caitriona Diviney, Chief Operating Officer
on behalf of the Irish Wind Energy Association (IWEA)

The Association welcomes the proposal to include an additional renewable energy policy **P-REN-3** in **Section 11.1 Energy** of the Draft Plan.

IWEA believes that this objective is important to encourage the use of renewable energy among enterprises, as this allows users to reduce their energy costs and carbon footprint.

Opinion

Noted.

Recommendation

No change to the Draft Plan or proposed amendments.

Submission no. 13

9 March 2011

Roger Garland, Chairman
on behalf of Keep Ireland Open (KIO)

Issue no. 1

KIO supports the proposed amendment **A 4-8** and suggests the addition of the following text to policy **P AGD-1**:

Farmers will be encouraged to see themselves as custodians of the countryside (taken from the National Spatial Strategy)

Opinion

It is not clear by how the County Council can encourage a particular mentality in a social group through the inclusion of an objective in its development plan.

Recommendation

No change to the proposed amendments or Draft Plan.

Issue no. 2

KIO supports the proposed amendment **A 4-15** and suggests the addition of the text “*or walking routes*” to policy **P-CZT-3**.

It is also suggested to move this policy to Chapter 6, as inland golf courses can also impinge on rights of way?

Opinion

It is agreed to effect this minor modification, which would not represent a material change of the proposed amendment **A 4-15**. Policy **P-CZT-3** should be further modified as suggested, it should be moved to **Section 6.5 Sports, recreation and open space**, and it should be renamed **P-SRO-11**.

Recommendation

Modify the proposed amendment **A 4-15** as follows:

P-CZT-3 P-SRO-11 Ensure that golf course development does not damage or encroach upon vulnerable dune systems **and does not impinge on existing rights of way or walking routes**.

Issue no. 3

In the proposed amendment **A 4-16**, KIO indicates that *Roscommon* is an error and should be replaced by *Donegal*. It is also suggested that the coastal path mentioned in objective O-CZT-5 should have the status of a right of way.

KIO asks the Council to consider providing that the *study group* could be set up within a specific time frame of say three months or six months. Then there would be a structure in place to progress the matter as funding becomes available.

Opinion

It is agreed to effect this minor modification, which would not represent a material change of the proposed amendment **A 4-16**. “Roscommon” should be replaced with “Donegal”. The objective should be further modified to specify that the coastal path should have a right-of-way status and that a study group should be formed within one year of the adoption of the plan to pursue the project.

Recommendation

Modify the proposed amendment **A 4-16** as follows:

O-CZT-5 Liaise with the National **Waymarked Ways Trails** Advisory Committee to investigate the possibility of providing a coastal path along the coastline of County Sligo, **with a right-of-way status**, and liaise with counties Mayo, Leitrim and **Rescommon** to set-up a study group to advance this matter. **The study group should be established within one year from the adoption of this Plan.**

Development of the coastal path shall be subject to compliance with the requirements of the Habitats Directive.

Issue no. 4

Noting the Manager's response to a number of suggestions made at the previous stage of public consultation, which did not result in proposed amendments, KIO reiterates its request to include a number of policies relating to the maintenance and signposting of rights-of-way.

Opinion

The third stage of public consultation relates exclusively to the proposed amendments. No additional policies should be proposed at this stage.

Recommendation

No change to the Draft Plan or proposed amendments.

Issue no. 5

In relation to the proposed amendment A 7-10, it is suggested to add: *See also Chapter 8.4 cycling and walking objectives 0-CW-1.*

Opinion

It is agreed to effect this minor modification, which would not represent a material change of the proposed amendment.

Recommendation

Modify the proposed amendment **A 7-10** by adding the text "*See also Chapter 8.4 cycling and walking objectives 0-CW-1*" after the third bullet point, as follows:

In **Section 7.1.5 Inland waters**, under the heading **Riparian Zones**, modify the text as follows:

- for larger river channels (over 10m), a core riparian zone (CRZ) of 35-60 m (18-30 m on each side of the river) or larger where flood plains adjoin the riparian zone;
- for smaller channels (under 10 m), a core riparian zone (CRZ) of 20 m (10 m on each side of the river) or greater.
- for salmonid rivers, the core riparian zone should be a minimum of 25 m on each side of the river.

See also Chapter 8.4 Cycling and walking objectives - 0-CW-1.

Issue no. 6

KIO suggests that the Plan should make provision for the promotion of sites such as Carrowmore, Knocknarea and Cairns Hill through a campaign for designation as World Heritage Sites.

Furthermore, it is submitted that the Plan should provide for a formal request to be made to the Department of Environment regarding the designation of a National Park in the Gleniff / Dartry / Benbulbin area "where there are serious access problems".

Opinion

As indicated in the Second Manager's Report, the proposals for world Heritage sites and the designation / establishment of National Parks is the remit of the Government through the Minister of the DoEHLG and falls outside the remit of the County Development Plan.

It is considered that the County Development Plan is not the appropriate policy document for committing public resources to promotional campaigns seeking the designation of such sites.

Recommendation

No change to the Draft Plan or proposed amendments.

Issue no. 7

KIO considers that the proposed amendment **A 8-8** should have the status of an objective and that the objective **O-TOU-4** should be moved from **Section 4.4 Tourism development** to **Section 8.4 Cycle and pedestrian movements**, as the mapping of rights of way as this issue isn't exclusive to tourism.

Opinion

It is agreed to effect these minor modifications, which would not represent a material change of the proposed amendments.

Recommendations

A. Modify the proposed amendment **A 8-8** by naming it as a cycling and walking policy **P-CW-4**:

P-CW-4 A number of long-distance walking routes exist throughout the county. These long-distance walks together with local walks provide important access networks. This is an important recreational resource whose integrity should be protected. The impact of any proposed development on these routes should be taken into account when considering applications for permission for developments in the vicinity.

B. Relocate objective **O-TOU-4** to **Section 8.4 Cycle and pedestrian movements** and rename it **O-CW-6**.

Issue no. 8

In relation to proposed amendment A 8-12, KIO requests the insertion of the wording “(including river corridors)” after “corridors” to conform to the sentiments expressed in the Manager's Opinion on page 36 of the Second Manager's Report.

Opinion

It is agreed to effect this minor modification, which would not represent a material change of the proposed amendment **A 8-12**.

Recommendation

Modify proposed amendment **A 8-12** as follows:

O-CW-1 Provide, improve and extend cycle and pedestrian routes on existing roads, proposed roads, roads being upgraded and green corridors **(including river corridors)**, where feasible and practical, subject to compliance with the Habitats Directive.

Issue no. 9

KIO reiterates a number of suggestions included in the previous submission on the Draft Plan.

Opinion

The suggestions have already been considered in the Second Manager's Report and did not result in proposed amendments. No new policies or objectives can be proposed at this stage in the process of reviewing the County Development Plan.

Recommendation

No change to the Draft Plan or proposed amendments.

Issue no. 10

KIO suggests the inclusion of *public rights of way* in the proposed amendment A 12-16 and, in the interest of consistency, the inclusion of similar provisions in the text of Section 12.7.3 Telecommunications.

Opinion

It is agreed to include *public rights of way* in the proposed amendment **A 12-16**, as this is a minor modification and does not represent a material change. However, the inclusion in Section 12.7.3 Telecommunications of provisions similar to those listed in Section **12.7.2. Renewable energy developments** would represent a material amendment, which cannot be proposed at this stage in the process of reviewing the County Development Plan.

Recommendation

Modify the proposed amendment **A 12-16** by inserting in Section **12.7.2 Renewable energy developments** the following bullet point:

- [impact on existing walking routes/rights-of-way/public access to the countryside](#)

Submission no. 14

9 March 2011

McCarthy, Keville, O'Sullivan Ltd.

on behalf of Shane, Patrick & Aidan Carty

The submission is in relation to the Ballysadare Mini-Plan and lands at Kilboglashy, Ballysadare (stated to be 7 acres). It refers to Submission no. 111 discussed in the Second Manager's Report, which requested that the lands (proposed to be zoned for 'community facilities' in the Draft CDP) be zoned for 'low density residential use' as an alternative to the development of one-off houses in rural areas.

As outlined in the previous submission, it is argued that the lands are suitable for such residential uses and that there is adequate land available for the accommodation of community facilities. However, it is stated that the clients would be prepared to develop 2 acres for community purposes and would transfer these lands to Community/County Council in return for the zoning of the balance of the lands (5 acres) for low density residential use. In the event that this proposal is not acceptable, it is requested that the lands be zoned as 'buffer zone' or 'agricultural use'.

Opinion

The Second Manager's Report recommended that no change should be made to the Draft CDP and Ballysadare Mini-Plan in relation to Submission no. 111. This recommendation was adopted by the Council members at their meeting of 24 January 2011.

Given that no amendments were agreed in relation to these lands, no reference was made to the lands in the Proposed Amendments which were on public display from 9th February to 9th March. At this stage of the Development Plan process, only issues contained in the Proposed Amendments can be considered and therefore these lands at Kilboglashy cannot be considered any further. In accordance with the agreed recommendation of the Second Manager's Report, these lands must remain zoned as 'community facilities'.

Recommendations

No change to the Draft CDP or its Proposed Amendments is recommended on foot of this submission.

Submission no. 15

9 March 2011

Trevor James, Rhatigan and Company Architects
on behalf of Patrick Carty

The consultants note the proposed amendment **A 3-4**, which states the Council's intention to "modify **Table 3.C** to indicate the potential number of housing units that the Plan is capable of accommodating in the various settlements, including the assumptions underlying such estimates".

It is argued that, whilst the Planning Authority is taking a "plan-led" approach based on documentary evidence (CSO statistics), it should also give applicants the opportunity to outline how their proposals can satisfy broader strategic policies at a localised level.

The consultants consider that there is "ample reasoning to allow for residential development, where infrastructures are available, current housing vacancy levels are below average, demand remains for housing and where this consolidates in a sustainable manner the built footprint of a settlement via infill development".

In the consultants' opinion, all the above is applicable to Patrick Carty's lands at Carrowbunnaun, Golf Course Road, Strandhill.

The consultants consider that "a significant plan led restriction on zoned lands in the Strandhill area does not accurately account for the individual characteristics of the area, including variations in housing demand geographically and through time.

It is requested that Table 3.C should include a caveat stating that "*such housing numbers can be revisited throughout the lifetime of the Development Plan, should the need arise, in order to identify whether additional zoned land is required in specific settlements*".

Furthermore, it is requested that "when referring to the allocation of land to be zoned for Greenfield development in the Strandhill area, the Council should include a reference to allow scope for an increased area of zoned land where it can be demonstrated that the needs arise".

Opinion

Table 3.C Provision of greenfield residential zoned land in the SEDP 2010-2016, the CDP 2005-2011 and the Draft CDP 2011-2017 in Section 3.1.4 Housing land requirements of the Draft CDP sets the framework within which the planning authority will, over the lifetime of the Development

Plan, reconcile the present level of residential zonings, including proposed mini-plans and future local area plans, with the RPG targets.

In response to the DoEHLG's request, it is proposed to modify Table 3.C to indicate the potential number of housing units capable of being accommodated throughout the Plan area.

As the housing numbers corresponding to allocated zoned land will depend on various assumptions, including residential densities, it is considered that such numbers included in Table 3.C will have an illustrative function, not a normative role. As such, it is considered unnecessary to state that housing numbers can be revisited during the lifetime of the Plan.

The allocation of greenfield housing land for Strandhill is part of this framework and its increase would require an equivalent decrease in another other area or areas, as the total balance must be consistent with the provisions of the Regional Planning Guidelines. Such rebalancing cannot be considered at this stage in the process of reviewing the Development Plan.

The suitability of Mr. Carty's lands for future residential development is a matter to be considered when reviewing Strandhill Local Area Plan 2003-2012. At that stage, all landowners will have opportunity to outline their plans in relation to various lands in Strandhill, whether such lands are currently zoned residential or otherwise. The review of Strandhill LAP, in 2012, will also benefit from the evidence supplied by Census 2011 data in the areas of population and housing.

Recommendation

No change to the proposed amendments or the Draft Plan.

Submission no. 16

9 March 2011

Trevor Sadler, McGill Planning Ltd
on behalf of the Daughters of Wisdom

The consultants note the proposed amendment **A 6-3**, put forward following a submission made on the Draft Plan, where a change of wording to objective O-CF-1 was requested on behalf of the Daughters of Wisdom.

The consultants indicate that even though the Manager had agreed to the requested change, the wording of the proposed objective was not entirely as requested, as it failed to replace the word "comprising" with "to include". It is now requested that the objective O-CF-1 be further modified by operating the replacement mentioned above.

Opinion

It is agreed to effect this modification, which would not represent a material change of the proposed amendment **A 6-3**. Due to an editing error, the word "comprising" was not proposed to be replaced with "to include". This should be rectified.

Recommendation

Modify the proposed amendment **A 6-3** as follows:

- O-CF-1** Facilitate the phased redevelopment of the existing Wisdom services care facility at Cregg House, Ballinacra, as to provide an integrated residential and educational community comprising to include a range of facilities for those with and without educational intellectual disabilities and special needs, subject to the availability of adequate wastewater treatment infrastructure."

3. Response to submissions on proposed amendments to the Draft Record of Protected Structures 2011-2017

Submission no. 11 (RPS)

9 March 2011

An Taisce

Miscellaneous RPS items

Issue no. 1

An Taisce is concerned with the proposed omission of circa 30 entries from the Draft Record of Protected Structures as outlined in the Proposed Amendments. These amendments, which would potentially conflict with the protection of architectural heritage, were largely opposed by the Manager. The justification for the removal of these structures from the RPS is limited and contrary to the proper planning and sustainable development of Sligo.

Opinion

The following are the 32 structures which were proposed for omission from the RPS as part of the Proposed Amendments:

RPS item no. 54 - thatched cottage, Cabraghkeel, Rathlee

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item no. 54 (thatched cottage, Cabraghkeel, Rathlee) from the final RPS.

This structure is already on the current RPS for County Sligo.

No submission was received requesting its deletion from the RPS.

The structure has been given a Regional rating in the National Inventory of Architectural Heritage (NIAH) based on its architectural interest.

The NIAH appraisal of the structures as follows: *This is one of the few remaining thatched houses in the area. It is a good, albeit fragile, example of the type. Sash windows which, through the number of panes, serve to illustrate development of the building over time, survive.*

The DoEHLG's *Architectural Heritage Protection – Guidelines for Planning Authorities* advises that deletions of structures from the RPS will only take place where the planning authority considers that the protection of a structure, or part of a structure, is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interests value was mistakenly attributed.

Having regard to the absence of a comprehensive submission supporting the deletion from the RPS in accordance with the above guidance from the DoEHLG document *Architectural Heritage Protection – Guidelines for Planning Authorities* and having regard to the NIAH appraisal of the building, it is not considered appropriate to delete this structure from the RPS.

Recommendation

The proposed amendment **A-2 RPS** should not be adopted.

RPS item no. 177 – Lissadell Demesne Gate Lodge 1, Ballygilgan, Carney

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item 177 (Lissadell Demesne Gate Lodge 1, Ballygilgan, Carney) from the final RPS.

This structure is on the current RPS for County Sligo.

The structure has been given a Regional rating in the National Inventory of Architectural Heritage (NIAH) based on its architectural, historical and social interest.

The NIAH appraisal of the structures as follows: *This distinctive but rather plain gate lodge retains a dramatic stepped chimneystack and overhanging slate roof. It is part of the fabric which relays much about demesne architectural development*

The DoEHLG's *Architectural Heritage Protection – Guidelines for Planning Authorities* advises that deletions of structures from the RPS will only take place where the planning authority considers that the protection of a structure, or part of a structure, is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interests value was mistakenly attributed.

Having regard to the absence of a comprehensive submission supporting the deletion from the RPS in accordance with the above guidance from the DoEHLG document *Architectural Heritage Protection – Guidelines for Planning Authorities* and having regard to the NIAH appraisal of the building, it is not considered appropriate to delete this structure from the RPS.

Recommendation

The proposed amendment **A-5 RPS** should not be adopted.

RPS item no. 223 – Ashdale House, Scurmore, Enniscrone)

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item 223 (Ashdale House, Scurmore, Enniscrone) from the final RPS.

This structure is on the current RPS for County Sligo.

No submission was received requesting the deletion of this structure from the RPS.

The structure has been given a Regional rating in the National Inventory of Architectural Heritage (NIAH) based on its architectural interest.

The NIAH appraisal of the structures as follows: *This plain farmhouse and its outbuildings and farmyard are typical of nineteenth century agricultural development. The house, although modified, retains its basic form and details such as sash windows and panelled entrance door.*

The DoEHLG's *Architectural Heritage Protection – Guidelines for Planning Authorities* advises that deletions of structures from the RPS will only take place where the planning authority considers that the protection of a structure, or part of a structure, is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interests value was mistakenly attributed.

Having regard to the absence of a comprehensive submission supporting the deletion from the RPS in accordance with the above guidance from the DoEHLG document *Architectural Heritage Protection –*

Guidelines for Planning Authorities and having regard to the NIAH appraisal of the building, it is not considered appropriate to delete this structure from the RPS.

Recommendation

The proposed amendment **A-6 RPS** should not be adopted.

RPS item no. 229 – Parochial House, Straduff, Geevagh

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **229** (Parochial House, Straduff, Geevagh) from the final RPS.

This structure is already on the current RPS for County Sligo.

The structure has been given a Regional rating in the National Inventory of Architectural Heritage (NIAH) based on its architectural and technical interest.

The NIAH appraisal of the structures as follows: *This rather plain house is somewhat enlivened by the canted bay window. It retains its sash windows and has attractive wrought- and cast-iron boundary gates.*

The DoEHLG's *Architectural Heritage Protection – Guidelines for Planning Authorities* advises that deletions of structures from the RPS will only take place where the planning authority considers that the protection of a structure, or part of a structure, is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interests value was mistakenly attributed.

Having regard to the absence of a comprehensive submission supporting the deletion from the RPS in accordance with the above guidance from the DoEHLG document *Architectural Heritage Protection – Guidelines for Planning Authorities* and having regard to the NIAH appraisal of the building, it is not considered appropriate to delete this structure from the RPS.

Recommendations

The proposed amendment **A-7 RPS** should not be adopted.

RPS item no. 231 – thatched cottage, Streamstown, Ballysadare

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **231** (thatched cottage, Streamstown, Ballysadare) from the final RPS.

This building is currently a protected structure on the County RPS 2005-11. The building has been given a Regional rating in the National Inventory of Architectural Heritage (NIAH) based on its architectural interest.

The NIAH appraisal of the structure reads as follows: *This fine example of the Irish vernacular linear house with outbuildings attached to its gable end and ranged around the farmyard with white lime-washed walls contrasting with thatch and red corrugated iron roofs all act as a reminder of the type of small farming settlement that once characterised the Irish rural landscape.*

The DoEHLG's *Architectural Heritage Protection – Guidelines for Planning Authorities* advises that deletions of structures from the RPS will only take place where the planning authority considers that

the protection of a structure, or part of a structure, is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interests value was mistakenly attributed.

This building has been listed since 2005 and has significantly deteriorated since then, with two thirds of the thatched roof falling in. However, it is not irrecoverable and the farm outbuildings surrounding the building are equally of value and contribute to the special character of the complex.

Based on the above appraisal from the NIAH and having regard to the *Architectural Heritage Protection – Guidelines for Planning Authorities*, it is considered that this building merits protection and that the above criteria for deleting a structure from the RPS have not been met.

Recommendation

The proposed amendment **A-8 RPS** should not be adopted.

RPS item no. P-8 – St. Helen's, Cregg, Rosses Point

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-8** (St. Helen's, Cregg, Rosses Point) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH). The structure has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structures is as follows: *This stylistically-assured villa-style house occupies a splendid situation with views over Sligo Bay to the south, further enhanced by being raised on a half basement. Bright and airy, it has many attractive features including canted bay windows, gabled entrance porch, approach steps and panelled entrance door.*

Having regard to the NIAH appraisal, it is considered that this building should be included on the RPS.

Recommendation

The proposed amendment **A-9 RPS** should not be adopted.

RPS item no. P-16 – House, Ballinphull, Carney

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-16** (House, Ballinphull, Carney) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The structure has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structures is as follows: *An attractive and solidly-built farmhouse retains many original features including cast-iron gutters, roughcast walling and sash windows.*

Planning permission PD04-71 was granted in 2004 for a new dwelling house with a condition to demolish the original house located to the front. This has not been completed to date. The permission has now expired. However, the developer is obliged to comply with the conditions of the planning permission. This structure was therefore included as a proposed protected structure in error.

Recommendation

Incorporate the proposed amendment **A-12** in to the final RPS.

RPS item no. P-27 - J Costello Shop, Grange

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-27** (J Costello Shop, Grange) from the final RPS.

At the previous consultation stage, the Planning Section received a submission on the Draft RPS for County Sligo (submission no. 51 – Eugene O’Neill on behalf of Mattie Clancy) stating that the structure was in very poor condition, that there were no significant architectural features remaining and the internal structure of the building has been destroyed. The shopfront is not a traditional shopfront and is in fact a plaster copy from the 20th Century. A report, originally submitted in 2004, was re-submitted with this submission. This report states that due to the extent of wet and dry rot, the building is structurally unsound.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

This building has been given a Regional rating in the NIAH based on its architectural and social interest.

The NIAH appraisal of the structure reads as follows: *Combined commercial and residential uses were a common feature of the Irish town until the later stages of the twentieth century. This attractive example, on the edge of the village, retains its sash windows and a substantial and well-detailed shopfront.*

Having regard to the engineering report of 2004, it is considered that the building is not worthy of protection having regard to its irreversible structural condition.

Recommendation

Incorporate the proposed amendment **A-13** into the final RPS.

RPS item no. P-33 - Cloonlurg House, Cloonlurg, Riverstown

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-33** (Cloonlurg House, Cloonlurg, Riverstown) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The farmyard complex has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structure reads as follows: *The outbuildings serving this very plain farmhouse may pre-date it and are of more interest providing a relatively unspoilt example of a working farmyard. Wrought-iron gates and a metal weather-vane are interesting details.*

Based on the above appraisal from the NIAH, it is considered that this farmyard complex merits protection.

Recommendation

The proposed amendment **A-14 RPS** should not be adopted.

RPS item no. 37 – Adnisbrack House, Arnasbrack, Ballygawley

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-37** (Adnisbrack House, Arnasbrack, Ballygawley) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

This structure has been given a Regional rating in the NIAH based on its architectural and artistic interest.

The NIAH appraisal of the structures as follows: *This well-sited and pleasingly proportioned house sits at the end of a winding driveway within its own grounds. The house has had some recent modifications but overall is a good example of this type of rural dwelling.*

This is an imposing and well-kept farm house with an associated farm yard to the rear, with some original and some new timber sash windows as well as a more unusual example of a double sash window. As per the NIAH appraisal, it is considered that this is a very good example of a type of rural dwelling.

Based on the above appraisal from the NIAH, it is considered that this structure should be included on the County Sligo RPS.

Recommendation

The proposed amendment **A-15 RPS** should not be adopted.

RPS item no. P-41 – Kelly's Rock Bar, O'Connell Street, Ballymote

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-41** (Kelly's Rock Bar, O'Connell Street, Ballymote) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The building has been given a Regional rating in the NIAH based on its architectural and social interest.

The NIAH appraisal of the structure reads as follows: *This traditional public house has a particularly appealing bas-relief sign. The building marks the southward transition to more modest buildings from the cluster of commercial premises hugging the top of the hill.*

On further examination, it is considered that this building does not possess any features of particular interest other than it forming part of a streetscape. The contribution of this building is that it is one of a series of buildings at the top of O'Connell Street with integrated carriage arches. It is considered that the development management process will protect this streetscape, which is a very significant one for Ballymote in grading from the commercial to business buildings (especially when entering Ballymote from Emmet Street).

Recommendation

Incorporate the proposed amendment **A-16** in to the final RPS.

RPS item no. P-52 – House, Emmet Street, Ballymote

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-52** (House, Emmet Street, Ballymote) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH). The structure has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structures as follows: *This substantial house presents a fine example of the plain façade enlivened through the application of stucco detailing. The original windows and doors survive and combine to make it a vital component of the streetscape.*

It is considered that the building makes an important contribution to the streetscape, more so than the buildings on either side of the terrace by reason of the surviving original windows and doors, the traditional doorway to the arch and the stucco detailing around the window. Inappropriate modern interventions to this traditional façade would not be desirable and hence its proposed protected structure status is warranted. Further internal alterations may be dealt with via pre-planning discussions and may not necessarily be precluded by its protected structure status.

Based on the above appraisal, it is considered that this structure merits protection.

Recommendation

The proposed amendment **A-17 RPS** should not be adopted.

RPS item no. P-56 – House, Teeling Street, Ballymote

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-56** (House, Teeling Street, Ballymote) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the

survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The building has been given a Regional rating in the NIAH based on its architectural and social interest.

The NIAH appraisal of the structure reads as follows: *This small but well-proportioned building boasts an attractive shopfront. The building retains much original and early material, including an interesting inset ceramic tile detail to consoles, which add significantly to its architectural value. It makes a positive contribution to the Ballymote streetscape and preserves an, increasingly rare, typology of shop with residence over.*

Based on the above appraisal, it is considered that this building merits protection.

Recommendation

Omit the proposed amendment A-18 RPS.

RPS item no. P-59 – House, Tiratick, Ballintogher

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-59** (House, Tiratick, Ballintogher) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The building has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structure reads as follows: *This house retains most of its original character and fits comfortably in the streetscape of Ballintogher. Sash windows add to its authenticity.*

This building and the adjacent building (RPS item no. P-60) perform an important urban design role as one approaches the village from the south-east and together with the retention of original sash windows and float glass, the buildings contribute positively to the streetscape and the character of the village.

Based on the above appraisal, it is considered that this building merits protection.

Recommendation

The proposed amendment **A-19 RPS** should not be adopted.

RPS item no. P-60 – House, Tiratick, Ballintogher

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-60** (House, Tiratick, Ballintogher) from the final RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The building has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structure reads as follows: *This small terraced dwelling with its tiny shopfront is representative of a type once widespread in rural Ireland. It is of a similar scale to the adjoining properties to either side.*

This building and the adjacent building (RPS item no. P-59) perform an important urban design role as one approaches the village from the south-east and together with the retention of original sash windows and float glass, the buildings contribute positively to the streetscape and the character of the village.

Based on the above appraisal, it is considered that this building merits protection.

Recommendation

The proposed amendment **A-20 RPS** should not be adopted.

RPS Item P64 – Church of the Assumption, Collooney

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-64** (Church of the Assumption, Collooney) from the final RPS.

No submission was received requesting the exclusion of this structure from the RPS.

The decision to include the building on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The building has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structure reads as follows: *This lofty church was designed by local architect Sir John Benson. It boasts very fine stonework and exhibits skilled craftsmanship in its treatment of stained glass, internal joinery work and mosaic walling. The building is part of a loosely-related group which also comprises the convent and parochial house.*

Based on the above appraisal, it is considered that this building merits protection.

Recommendation

The proposed amendment A-21 RPS should not be adopted.

RPS items no. P-68 and P-69 – attached houses on Wolfe Tone Street, Ballymote

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS items **P-68 and P-69** (attached single-storey and two-storey houses on Wolfe Tone Street, Ballymote) from the final RPS.

A submission was received by the Planning Section on the Draft RPS, objecting to the inclusion of P-68 and P-69 (attached single-storey and two-storey houses) on the Draft RPS on the basis that the two buildings possess no architectural or historical merit. A report on P-69, which was prepared in 2004, has also been submitted. This report states that the structure is in a poor condition and cannot be repaired without demolishing most of the building.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH). These two structures have been given a Regional rating in the NIAH based on their architectural interest.

The NIAH appraisals of the structures read as follows:

P-68 *This modest house with its slate roof and original windows, is an attractive addition to the streetscape. Sparing of detail, its stark simplicity is one of its most appealing qualities.*

P-69 *This modest house is unique in the context of Ballymote for the survival of a thatched roof below a corrugated-iron covering. Sparing of detail, its stark simplicity is one of its finest qualities.*

Having regard to the report submitted in 2004 (submitted again with this submission), it is considered that the buildings are not worthy of protection due to their irreversible structural condition.

Recommendation

Incorporate the proposed amendment **A-22** in to the final RPS.

RPS item no. P-78 – Springmount, Carrowntober, Tobercurry

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-78** (Springmount, Carrowntober, Tobercurry) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The structure has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structures is as follows: *This handsome self-contained house retains its original fenestration and much original fabric. The outbuilding to the rear complements the setting. The modestly-detailed gate screen is well-executed and enhances the roadside.*

Having regard to the NIAH appraisal, it is considered that this building should be included on the RPS.

Recommendation

The proposed amendment **A-24 RPS** should not be adopted.

RPS item no. P-79 – national school, Ballynaraw South, Bunnanaddan

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-79** (national school, Ballynaraw South, Bunnanaddan) from the final RPS.

No submission was received requesting the exclusion of this structure from the RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The structure has been given a Regional rating in the NIAH based on its architectural and social interest.

The NIAH appraisal of the structures is as follows: *This traditional village school retains most of its original features and, although derelict, is a good example of an unaltered late-nineteenth century National School, with large well-proportioned classrooms and clear segregation of accommodation for male and female pupils.*

Having regard to the NIAH appraisal, it is considered that this building should be included on the RPS.

Recommendation

The proposed amendment **A-25 RPS** should not be adopted.

RPS item no. P-87 – McIntyre and Durkin, Humbert Street, Tobercurry

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-87** (McIntyre and Durkin, Humbert Street, Tobercurry) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

This structure has been given a Regional rating in the NIAH based on its architectural, artistic and social interest.

The NIAH appraisal of the structures reads as follows: *This building is unusual and special in the context of Tobercurry for its roof parapet and trompe l'oeil paintwork which cleverly suggests raised bands around openings, quoins and plinth. The sign writing is also of interest and represents an almost-lost traditional skill.*

Based on the above appraisal from the NIAH, it is considered that this structure should be included on the County Sligo RPS.

Recommendation

The proposed amendment **A-26 RPS** should not be adopted.

RPS item no. P-96 – Knockalass House, Knockalass, Tobercurry

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-96** (Knockalass House, Knockalass, Tobercurry) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The structure has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structures is as follows: *Although this farmhouse has not been occupied for a number of years, its development can be discerned in the various extensions and details which include the survival of original multi-pane windows. There are two handsome outbuildings to the farmyard and a, rather whimsical, cottage with delightful bargeboards.*

Based on the above appraisal from the NIAH, it is considered that this structure merits protection.

Recommendation

The proposed amendment **A-27 RPS** should not be adopted.

RPS item no. P-111 – The Beach Bar, Aughris, Templeboy

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-111** (The Beach Bar, Aughris, Templeboy) from the final RPS

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The structure has been given a Regional rating in the NIAH based on its architectural and social interest.

The NIAH appraisal of the structures is as follows: *This little public house, with its long low lines, retains a thatched roof and atmospheric interior. It bears all the hallmarks of incremental alteration with the passing of time and this, and its remote seaside setting, add to its interest.*

Based on the above appraisal from both the NIAH and following consideration of the structure by the Planning Section, it is considered that only the original thatched structure should be included on the County Sligo RPS.

Section 57 of the Planning and Development Act 2000 establishes the legislation with the regard to the carrying out of works to a protected or proposed protected structure: *Notwithstanding Section 4(1)(h), the carrying out of works to a protected structure or proposed protected structure, shall be exempted development only if those works would not materially affect the character of (a) the structure or (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.*

Issues regarding internal and other minor modifications can be dealt with easily through the pre-planning process and via comprehensive discussions with local authority planners and architects prior to any submission of a planning application or commencement of development if an application is not necessary.

Recommendation

The proposed amendment **A-28 RPS** should not be adopted.

RPS item no. P-112 – Derk Lodge, Derk Beg, Dromard

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-112** (Derk Lodge, Derk Beg, Dromard) from the final RPS

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH). The structure has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structure is as follows: *Despite some modifications this superbly located building is well integrated with the natural contours of the land and merges into the surrounding trees.*

This building, due to its imposing position on the landscape and its length and number of chimneys (5 in total) centrally placed on the roof ridge, is unusual and is considered to be worthy of protection.

Based on the above appraisal, it is considered that this structure merits protection.

Recommendation

The proposed amendment **A-29 RPS** should not be adopted.

RPS item no. P-118 – Glenburne House, Ballymeeny, Dromore West

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-118** (Glenburne House, Ballymeeny, Dromore West) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

This building has been given a Regional rating in the NIAH based on its architectural and artistic interest.

The NIAH appraisal of the structure reads as follows: *This substantial house is distinctive for its busy arrangement of projecting bays on its front elevation and a fine set of decorative cast-iron railings. An associated complex of outbuildings on the opposite side of the road is also of architectural importance providing an indication of the historical evolution of the site.*

Based on the above appraisal and following consideration of the submission and the house and associated outbuildings, it is considered that this structure and associated outbuildings merit protection.

Recommendation

The proposed amendment **A-30 RPS** should not be adopted.

RPS item no. P-121 – The South Lodge, Carrowhubbuck South, Enniscrone

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-121** (The South Lodge, Carrowhubbuck South, Enniscrone) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the

survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

This building has been given a Regional rating in the NIAH based on its architectural interest.

The NIAH appraisal of the structure reads as follows: *This house is an attractive example of a detached seaside villa of the late-nineteenth century. Although modest in size, it is full of interesting details and the survival of many of the original windows is a particularly attractive feature. Situated at a height with splendid views of the beach, it adds greatly to the character of this seaside town.*

Based on the above appraisal from both the NIAH and following consideration of the submission and the house and associated outbuildings, it is considered that this structure and associated outbuildings merit protection.

Recommendation

The proposed amendment **A-31 RPS** should not be adopted.

RPS item no. P-137 – former Presbyterian church, Knockacullen, Dromore West

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-137** (former Presbyterian Church, Knockacullen, Dromore West) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The structure has been given a Regional rating in the NIAH based on its architectural and social interest.

The NIAH appraisal of the structures as follows: *The simple lines of this modest church are typical of Presbyterian religious architecture, the only architectural variation within the structure being provided by a juxtaposition of gable-ended forms of varying heights. Clear, well-balanced, proportions contribute to a harmonious overall appearance. Although derelict the church retains a significant amount of original and early fabric. Its ruinous condition is indicative of social change and a declining protestant population in the area.*

Based on the above appraisal from the NIAH, it is considered that this structure merits protection.

Recommendation

The proposed amendment **A-34 RPS** should not be adopted.

RPS item P-142 – thatched cottage, Camcuill, Dromore West

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-142** (thatched cottage, Camcuill, Dromore West) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the

survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The NIAH appraisal of the structures as follows: *This vernacular cottage, although abandoned, remains almost totally intact. These buildings are rapidly disappearing from the Irish countryside with which they were once synonymous.*

However, the examination of the structure reveals that it is not intact. On the contrary, it is obviously at an advanced stage of dereliction. Therefore, it is considered that this structure does not merit protection on the RPS.

Recommendation

Incorporate the proposed amendment **A-35** in the final RPS.

RPS item no. P-143 – thatched cottage, Carrowbrickeen, Dromard

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-143** (thatched cottage, Carrowbrickeen, Dromard) from the final RPS.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The NIAH appraisal of the structure reads as follows: *This house is a good example of a vernacular building still in use and retaining many of its original features. It makes a vital contribution to the visual character of the area.*

Inclusion on the RPS ensures that the architectural character of the building is retained and that any alterations/extensions are carried out sympathetically and without detriment to its inherent quality. This thatched cottage is an increasingly rare example of the vernacular architecture of County Sligo and it should remain on the Draft RPS.

Based on the appraisal the NIAH, it is considered that this building merits protection.

Recommendation

The proposed amendment **A-36 RPS** should not be adopted.

RPS item no. P-150 – former Coolaney Court House

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-150** (former Coolaney Court House) from the final RPS, following the Manager's recommendation.

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

This building has been given a Regional rating in the NIAH based on its architectural, historical and social interest.

The NIAH appraisal of the structure reads as follows: *This modest property is pleasingly asymmetrical and complementary to the streetscape in terms of detail and massing. Sash windows survive along with sheeted doors giving through archway to rear of property.*

However, a site inspection revealed that the subject building identified by the NIAH was not the original Court House. The Court House is in fact located on the same terrace of buildings to the north-east and is identifiable by two white columns marking the doorway.

It is considered that item P-150 should be deleted from the RPS as it does not possess any particular features of architectural interest and has been incorrectly identified as the former Court House.

Recommendations

Incorporate the proposed amendment **A-37** into the final RPS.

RPS item no. P-153 – Corhawnagh Church, Ballysadare

On the 24th January 2011, the members of Sligo County Council passed a resolution to omit RPS item **P-153** (Corhawnagh Church, Ballysadare) from the final RPS. (DPU Recommendation)

The decision to include the buildings on the Draft RPS for the County was based on the recommendations of the Minister for Environment, Heritage and Local Government following the survey of architectural heritage in County Sligo completed in 2006 (known as the National Inventory of Architectural Heritage – NIAH).

The Church has been given a Regional rating in the NIAH based on its architectural, artistic and social interest.

The NIAH appraisal of the structure reads as follows: *This modest church retains many features including high quality stained glass windows, a well-executed stone tracery chancel window, crested ridge tiles and distinctive round chimneystack. Visually prominent, the church is also a focal point for the community.*

This building has been extensively refurbished on foot of a planning permission from Sligo County Council. Therefore, it is considered that since very little of the original building remains, its protection on the RPS is not merited.

Recommendation

Incorporate the proposed amendment **A-39** into the final RPS.

Submission no. 12 (RPS)

9 March 2011

Isobel Cassidy

on behalf of Edward Walsh and Constance Cassidy

RPS item no. 176 - Lisadell House and associated features and structures

Issue no. 1

This submission queries the wording of the Draft RPS Item 176 Lissadell House to read *Lissadell House and associated features and structures*. It would appear from the submission that the owners of the property consider this an amendment of the Draft RPS. The owners indicate that they have been offered no explanation of this change of wording, compared to the wording on a County Council notice of April 2000 informing Jocelyn Gore Booth of the protected status of “Lissadell House and demesne”. The owners complain that no explanation has been given to them for the change of wording, its meaning or significance.

Issue no. 2

The second part of the submission relates to the order of the High Court of 3rd February 2011.

Issue no. 3

The third part of the submission states that given the impact of the High Court decision, it is utterly pointless for the Council to list Lissadell House as a protected structure and to extend this listing by vague and undefined wording which attempts to impose further burdens without defining them.

Opinion

1. The wording questioned by this submission was included in the Draft RPS and is not a change included in the *Proposed Amendments* to the Draft RPS. Therefore, it is considered that this is a *late* submission to the Draft RPS and does not require to be addressed in the context of this report on submissions relating to proposed amendments.

However, it should be noted that “Lissadell House and demesne” is currently a protected structure on the County RPS 2005-11.

The building has been given a National rating in the National Inventory of Architectural Heritage (NIAH) based on its architectural, cultural, social and artistic interest.

The NIAH appraisal of the structure reads as follows: *Austere in the extreme, Lissadell is one of Ireland's finest country houses. It has been described by Maurice Craig as being '...distinguished more by its solidity than by its suavity and more by its literary associations than by either.' The severity of the design is epitomised by the Doric detailing and precisely cut Ballysadare ashlar limestone. Its historic significance is heightened by the fact that it was the home of Eva and Constance Gore-Booth. W B Yeats immortalised the house in his work thus adding to its cultural significance. The house was sold by the Gore-Booth family in 2004 and continues as a private residence.*

The wording of the item has been changed to indicate that there are features and structures located within the curtilage of Lissadell House which come under the protection afforded to the main house. The Planning and Development Act 2000 defines a structure as including any others structures lying within the curtilage of the structure.

2. The effects of the order of the High Court of 3rd February 2011 are not relevant to the Record of Protected Structures for County Sligo or this report.

3. The DoEHLG's document *Architectural Heritage Protection – Guidelines for Planning Authorities* advises that deletions of structures from the RPS will only take place where the planning authority considers that the protection of a structure, or part of a structure, is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interests value was mistakenly attributed.

It is considered that the submission does not provide any new information regarding the protected structure which would require its deletion from the RPS in accordance with the above guidance from the Architectural Heritage Protection Guidelines.

Recommendation

No change to the proposed amendments or the Draft RPS.

4. Response to submissions received outside public consultation periods

Submission no. L-1

9 September 2010

Tom Watters

The submission refers to the existence of a soccer field on the Mullaghmore road and questions whether these lands should be zoned for 'community facilities' in the Cliffony Mini-Plan.

Opinion

These lands were not the subject of any other submissions at Draft Plan stage and, accordingly, were not discussed in the Second Manager's Report. Furthermore, none of the Proposed Amendments relate to these lands.

The playing pitch referred to is located outside the Plan limit of the Cliffony Mini-plan and therefore does not have any proposed zoning designation. Notwithstanding this, however, sports and recreational facilities would be open to consideration in rural areas outside the Plan limit, particularly in the case of facilities which have existed historically. The existence of this pitch is acknowledged by the planning authority and any future decisions will have appropriate regard to the historical use of these lands.

Recommendation

No change to the Draft CDP or its Proposed Amendments is recommended on foot of this submission.

Submission no. L-2

21 September 2010

Geraldine Kelly, on behalf of Irene Kearns

The submission refers to a small piece of land located at a junction along the N59 national secondary road in Ballysadare, and requests that the land be rezoned from 'designated green area to residential' in the Ballysadare Mini-plan.

Opinion

These lands were not the subject of any other submissions at Draft Plan stage and, accordingly, were not discussed in the Second Manager's Report. Furthermore, none of the Proposed Amendments relate to these lands.

Whilst this small piece of land is not zoned for any particular use as part of the Ballysadare Mini-plan in the current CDP 2005-2011, it was in fact proposed to be zoned as 'residential uses' in the Draft CDP 2011-2017 (excluding a small portion which has already been taken for road widening / junction improvement). The Draft CDP was therefore already consistent with this request and this remains the case as the lands were not subject to any Proposed Amendments.

Recommendation

No change to the Draft CDP or its Proposed Amendments is recommended on foot of this submission.

Will Woodrow

Will Woodrow considers that the Draft Appropriate Assessment associated with the Draft County Development Plan 2011-2017 is deficient in terms of best practice, compliance with published guidance and the EU Habitats Directive.

In the document 'Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities' (DoEHLG 2009), the following is stated on page 35:

*Another possible option is to recommence the screening process with a modified plan or project that removes or avoids elements that posed obvious risks. This highlights the iterative process of screening a plan or project when new alternatives that may not have any impact are being considered. **However, repeated or complicated screening exercises are not recommended as they point to the risk of significant effects and the need for Stage 2 (AA).***

The approach of the consultants appears to have been to change wording of policies in the Development Plan in order to take account of the requirements of the EU Habitats Directive. The approach suggested above relates to alternatives being put forward that will not have an impact rather than just suggesting that policies need to take account of the requirements of Article 6 the Habitats Directive. Such an approach does not completely remove the risk of impact and so cannot avoid the progression to a required Appropriate Assessment under the Precautionary Principle (see page 35 of the above quoted guidance and various EU guidance documents).

The use of the phrase '*subject to compliance with the requirements of the Habitats Directive*' has been used a good deal in the AA report. It is assumed that this relates largely to Article 6 of the EU Habitats Directive, which deals with assessing plans or projects that may affect Natura 2000 sites. This Article deals substantially with proposals that are likely to significantly affect a Natura 2000 site and makes requirements with respect to Appropriate Assessment, mitigation, compensation etc. The suggestion of the report seems to be that the CDP does not trigger Stage II of Article 6 (i.e. the need for Appropriate Assessment) yet carrying out numerous policies within it may indeed trigger Stage II of Article 6. This is clearly at odds.

The approach taken of changing of considerable policy wording within the screening stage to avoid the need for an AA (rather than progressing to AA stage with the best option considered) is of particular concern since it fails to adequately take account of the need to consider feasible alternatives to policies (as would be required under Article 6(4) under an Appropriate Assessment) including the 'do nothing' option. This, in turn, is a concern when a project needs to be considered under 6(4) and may be given undue weighting (with respect to lack of feasible alternatives and overriding public interest) even in the event of likely adverse impact on the integrity of a Natura 2000 site *because* it is supported by a County Council Policy (that was not previously assessed in the context of an Appropriate Assessment).

Opinion

The Appropriate Assessment screening report for the Draft Sligo CDP 2011-2017 was prepared in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities.* Department of the Environment, Heritage and Local Government, 2009.
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC,* European Commission Environment DG, 2000.

- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*: European Commission, 2000

As set out in these guidance documents, AA comprises up to four stages:

Stage One: Screening

Stage Two: Appropriate Assessment

Stage Three: Assessment of Alternative Solutions

Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. Firstly, the plan should aim to avoid any impacts on Natura 2000 sites by identifying possible effects early in the plan-making process and altering the plan or project in order to avoid such impacts. Consideration of alternatives is only required when significant impacts arising from implementation of a plan cannot be mitigated. The approach taken in the AA of the Sligo CDP was to change policies within the plan in an iterative process, in order to avoid impacts. Inclusion of the statement ‘*subject to compliance with the requirements of the Habitats Directive*’ as an integral part of specific policies and objectives within the Sligo CDP will ensure that such policies can only be implemented if they do not adversely affect the integrity of a Natura 2000 site.

Recommendation

No change to the proposed amendments or the Draft Plan.

Submission no. E-1

18 January 2011

Mike Rafter

This submission concerns the Easkey Mini-Plan and highlights reservations regarding proposals by Easkey Community Council for the provision of a caravan park. The submission refers to alleged negotiations for the purchasing of a site for this purpose and objects to the proposal. It is contended that two other sites would be more suitable for this purpose, namely the land around Roslea Castle and land beside the community centre. Photographs of all three sites have been included.

The submission also expresses reservations regarding the constitution and operation of Easkey Community Council.

Opinion

Whilst the details and photographs submitted are noted, it has not been possible to identify the actual location of the site which is allegedly under negotiation for purchase. It is therefore not possible to comment specifically on the merits or otherwise of this alleged proposal.

However, it should be noted that the Draft Easkey Mini-Plan includes the objective 33.6.A “to promote the development of tourism-related infrastructure and facilities within the village”. Furthermore, the provision of caravan and camping facilities would be ‘open to consideration’ in the buffer zone in accordance with the Zoning Matrix. The provision of such facilities could therefore be permitted within the vast majority of the plan area subject to more detailed assessment at planning application stage.

The lands around Roslea Castle were discussed in the Second Manager’s Report and are the subject of Proposed Amendment A33-5 which proposes an ‘open space’ zoning for these lands. This amendment

would preclude the provision of caravan and camping facilities. It is recommended that this should be adopted in order to protect the visual and archaeological sensitivities of the area.

The lands beside the community centre are the subject of Proposed Amendment A33-3 which proposes a 'tourism-related uses' zoning for these lands. This amendment would facilitate the provision of caravan and camping facilities. It is recommended that this should be adopted given the proximity of the site to the village centre and other services, together with the sheltered nature of the site, the development of which would not impact on the visual sensitivities of the surrounding area.

In conclusion, it is considered that the Draft Easkey Mini-Plan, together with the Proposed Amendments, has appropriately identified a suitable location for the provision of caravan and camping facilities, whilst also allowing flexibility in the consideration of any such proposal on alternative sites.

The constitution or operation of the Community Council is not a matter for consideration in this report.

Recommendations

No change to the Draft CDP or its Proposed Amendments is recommended on foot of this submission.

Submission no. LL-1

10 March 2011

Carmel Conaty, Co-ordination Unit
Department of Communications, Energy and Natural Resources

The Department has no comments to make on the proposed amendments.

Opinion

Noted.

Recommendation

No change to the Draft Plan or proposed amendments.

Submission no. L-L-2

11 March 2011

Brian Kenny, Planning System and Spatial Policy
Department of Environment, Heritage and Local Government

Issue no. 1

The Department notes the content of the proposed amendments to the Draft Sligo County Development Plan 2011-2017. It particularly supports the various references to the current draft planning guidelines on national roads and the amendment A 11-5 which will ensure compliance with planning guidelines on telecommunications.

Opinion

Noted.

Recommendation

No change to the proposed amendments or the Draft Plan.

Issue no. 2

The Department is concerned that the amendment A 27-8 would appear to have the effect of encouraging significant retail-related development in the environs of Collooney, in a manner that would be contrary to the presumption against such development in both the Retail Planning Guidelines and the draft guidelines on national roads. The Council is requested not to proceed with this amendment and take account of the more detailed recommendations of the National Roads Authority in this regard.

Opinion

Noted and agreed. Please refer to the Manager's opinion and recommendation made in response to Submission no. 3 (NRA) on the same subject.

Recommendation

The proposed amendment A 27-8 should be omitted.

Issue no. 3

The Department has some concerns regarding the amendment A 10-17, under which the modification of objective O-FRM-4 seem to suggest that the Development Plan will not incorporate a Stage II Strategic Flood Risk Assessment until the Office of Public Works has put in place more detailed mapping under the EU Floods Directive. The Department considers that the proposed amendment should be altered to indicate how the planning authority will comply with the planning guidelines in respect of the completion of Stage II Flood Risk Assessment, as it applies to the land use zoning maps for the various urban settlements across the county.

Opinion

Agreed. The proposed amendment should be altered by omitting the reference to OPW mapping availability. This is a minor modification, which would not represent a material change of the proposed amendment.

Recommendation

Modify the proposed amendment A 10-17 as follows:

O-FRM-4 Undertake Stage II Flood Risk Assessments when reviewing local area plans, in accordance with the OPW/DoEHLG's Flood Risk Management Guidelines, ~~subject to availability of relevant OPW mapping.~~

Issue no. 4

The Department expresses serious concerns regarding the proposed amendment A 36-2 in relation to a proposed zoning of lands for residential development outside the village of Grange. The letter states:

“Given that the planning authority has otherwise developed an excellent approach to its core strategy and aligning development lands to actual needs, the retention of this amendment would be in stark contrast to other objectives and policies of the plan. In addition, the development of these lands for housing, disconnected from the village of Grange, would breach every aspect of national policy in relation to the sequential and compact approaches espoused in the planning guidelines on development plans and sustainable residential development.

Therefore, the planning authority must delete this amendment if its plan is to represent a strategy for the proper planning and sustainable development of the village of Grange”.

Opinion

Noted and agreed. Please refer to the Manager’s opinion and recommendation made in response to Submission no. 2 (Gilleece) on the same subject.

Recommendation

The proposed amendment **A 36-2** should be omitted.

5. List of persons and organisations who made submissions in relation to the proposed amendments of the Draft CDP and Draft RPS 2011-2017

Submissions on the proposed amendments received during the public consultation period of 9 February to 9 March 2011

Ref. No.	Date received	Name or agency	on behalf of (where applicable)	Address
01	7/3/2011	Yvonne Dalton Planning Manager	Dublin Airport Authority	Dublin Airport
02	7/3/2011	E.C. Gaving Gavin Engineering	Gilleece Brothers Construction	Gavin Engineering Rathlee, Easkey
03	7/3/2011	Michael McCormack Policy Advisor (Planning)	National Roads Authority	St. Martin's House Waterloo Road Dublin 4
04	8/3/2011	Matt Donnelly Director	Border Regional Authority	e-mail
05	8/3/2011	Mike Healy	Cliffoney/Grange Youth Soccer Football Club	Derrylehan, Grange
06	8/3/2011	Deirdre Maher Executive Officer	Department of Education & Skills	Portlaoise Road, Tullamore
07	8/3/2011	Desmond Kennedy		Ballincar, Co. Sligo
08	8/3/2011	McDermott Creed & Martyn Solicitors	CassCon Ltd.	Stephen Street, Sligo
09	8/3/2011	Barry & Angela McSweeney and others		Aughagad, Grange
10	9/3/2011	An Taisce		e-mail
11	9/3/2011	Isobel Cassidy Cassidy Law Solicitors	Edward Walsh and Constance Cassidy	email
12	9/3/2011	Caitriona Diviney Chief Operating Officer	Irish Wind Energy Association	email
13	9/3/2011	Roger Garland	Keep Ireland Open	email
14	9/3/2011	McCarthy, Keville O'Sullivan	Shane, Patrick and Aidan Carty	email
15	9/3/2011	Trevor James Rhatigan & Company Architects	Patrick Carty	14 Teeling Street, Sligo
16	9/3/2011	Trevor Sadler McGill Planning	Daughters of Wisdom	e-mail

Submissions received outside public consultation periods

Late submissions on the Draft CDP

Ref. No.	Date received	Name or agency	on behalf of (where applicable)	Address
L-1	9/9/2010	Tom Watters		Creevykeel, Cliffooney
L-2	21/9/10	Geraldine Kelly	Irene Kearns	"Omra", No. 1 Innisfree Court, Tonaphubble, Sligo.
L-3	12/10/10	Will Woodrow		e-mail

Early submission on the Proposed Amendments

Ref. No.	Date received	Name or agency	on behalf of (where applicable)	Address
<u>E-1</u>	18/1/2011 & 4/2/2011	Mike Rafter		Castletown Easkey Co. Sligo

Late submissions on the Proposed Amendments

Ref No.	Date received	Name or agency	on behalf of (where applicable)	Address
L-L-1	10/3/20 10	Carmel Conaty Coordination Unit	Department of Communications, Energy & Natural Resources	Elm House, Earlsvale Road, Cavan
L-L-2	11/3/20 10	Brian Kenny Planning System and Spatial Policy	Department of Environment, Heritage and Local Government	Dublin