

27<sup>th</sup> February 2024

Central Planning Unit,  
Donegal County Council,  
County House,  
Lifford,  
Co. Donegal,  
F93 Y622.

**Re: Issues and Options Paper for Proposed Variation No. 1 to the County Donegal  
Development Plan 2024-2030**

A chara,

Thank you for your authority's work in preparing the Issues and Options Paper for Proposed Variation No. 1 to the County Donegal Development Plan 2024-2030 (the proposed Variation).

Donegal County Council (the Planning Authority) is commended for publishing an Issues and Options Paper, engaging proactively with the public, and notifying the Office of the Planning Regulator (the Office) of the intention to prepare the proposed Variation.

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate proposed variations, including area plans, to ensure alignment with national and regional planning policy and relevant section 28 guidelines.

The Office has set out some broad issues relevant to the proposed Variation under the following headings:

1. [Strategic policy framework](#)
2. [Development plan core strategy](#)
3. [Zoning, compact growth and infrastructural services](#)
4. [Regeneration](#)
5. [Education, social and community amenities](#)

6. [Economic development, employment and retail](#)
7. [Transport and mobility](#)
8. [Flood risk management](#)
9. [Climate action](#)
10. [Environment, built and natural heritage](#)
11. [Implementation and monitoring](#)

The Issues and Options Paper outlines the content of the proposed Variation as including:

- new area plans for An Clochán Liath (Dungloe), Ballyshannon, Brigend; Carndonagh, Donegal Town and Killybegs;
- residential rezoning at Cockhill, Bunrana; and
- potential Residential Zoned Land Tax (RZLT) rezonings.

The following comments are offered without prejudice to any observations and recommendations by the Office at future stages of the variation process. They also do not affect the obligation on your Planning Authority to comply with the relevant legislative requirements, or to be consistent with the fullness of the detailed policy context of the higher order plans and strategies and Ministerial guidelines.

## **1. Strategic policy framework**

The Office recognises that the proposed Variation is being prepared against a backdrop of an evolving national and regional planning policy and regulatory context. The overall approach should be consistent with the provisions of the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly (NWRA) area and the specific planning policy requirements (SPPRs) of section 28 guidelines in accordance with section 13 of the Act.

The Office encourages the Planning Authority to liaise with the NWRA in preparation of the proposed Variation, particularly where clarity is required on how the objectives and guiding principles set out in the RSES relate to the proposed Variation.

## **2. Development plan core strategy**

The Office notes that the core strategy of the recently adopted County Donegal Development Plan 2024-2030 (the County Development Plan) sets out the quantum and

location of lands identified for development in Donegal Town, Killybegs, An Clochán Liath (Dungloe), Carndonagh, Ballyshannon and Bunrana. The Office would therefore caution against the introduction of any area plan objectives or rezoning that would conflict with the detailed provisions of the core strategy, including the housing supply target for each settlement.

In its submissions on the review of the County Development Plan, the Office raised concern about the extent of residential zoning relative to that required to deliver the housing supply targets. The Development Plans, Guidelines for Planning Authorities (2022) (Development Plans Guidelines) provide clear guidance in terms of ensuring that sufficient housing lands/sites are provided based on the housing unit yield of land zoned for residential and a mix of residential and other uses. This is critical in terms of the ability to plan for the timely delivery of physical and social infrastructure in the right location to serve new housing development and to support compact and sequential growth.

### **3. Zoning, compact growth and infrastructural services**

Where new or amended zoning objectives are proposed, our assessment will carefully consider whether the proposed zoning is consistent with the core strategy and objectives of the County Development Plan, and whether they can demonstrate consistency with the National Policy Objectives (NPO) for compact growth and densification<sup>1</sup> under the NPF (NPO 3 and NPO 35) and the Regional Policy Objectives (RPO) of the RSES (RPO 3.2 and RPO 3.3). The implementation of effective compact growth to avoid urban sprawl also plays a key role in climate change mitigation.

In relation to residential development, any provisions or standards for density or building height in the area plans are required to have regard to relevant section 28 guidelines and to comply with any SPPRs therein, including, in particular:

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines);

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<sup>1</sup> Including through reductions in vacancy, re-use of existing buildings, infill development, area or site-based regeneration and increase building heights.

- Urban Development and Building Heights, Guidelines for Planning Authorities (2018); and
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023).

Land use zoning should follow a sequential approach so that the development of lands closest to the town centres are prioritised over lands on the outskirts of the towns, as set out under section 6.2.3 of the Development Plans Guidelines.

The Planning Authority also needs to ensure that lands that cannot be serviced within the lifetime of the County Development Plan are not zoned for development, consistent with the tiered approach to zoning under NPO 72 a-c of the NPF. In this regard, an infrastructure assessment for each area should be prepared in accordance with appendix 3 of the NPF and having regard to section 4.5.2 (Settlement Capacity Audit (SCA)) of the Development Plans Guidelines.

The Office considers that it is critical to prepare an infrastructure assessment / SCA at an early stage in the preparation of the area plans to support the land use zoning objectives proposed, provide a robust evidence base upon which the proposed Variation is underpinned, and to provide supporting rationale for such decisions.

In this regard, the Planning Authority is advised to liaise closely with the relevant prescribed authorities concerning the delivery of essential services and infrastructure.

#### **4. Regeneration**

Both the NPF objectives (NPO 4 urban places; NPO 6 urban regeneration; NPO 18a proportionate growth; NPO 18b new homes and NPO 35 increasing residential use) and the policy objectives of the RSES emphasise the importance of opportunities for urban and village regeneration to create attractive, liveable, and high quality urban places. The reuse of brownfield sites and vacant buildings will also contribute to climate change mitigation.

The Office welcomes the town centre / regeneration opportunities highlighted in the Issues and Options Paper within each of the area plan town centres, and notes that Opportunity Areas are identified in the County Development Plan within Carndonagh, An Clochán Liath and Ballyshannon.

The area plans also provide an opportunity to identify any further opportunity and regeneration sites, or vacant or underutilised buildings, in accordance with the guiding principles of the RSES for urban infill and regeneration, where applicable.

Where such sites are identified, the Planning Authority should prepare a development framework for future development with appropriate guidance regarding layout, massing, permeability, green infrastructure and Sustainable urban Drainage Systems (SuDS) etc.

The Office recommends that the area plans include a strong policy framework to support the utilisation of existing buildings, brownfield / infill sites, and derelict and underutilised sites. The Planning Authority should consider proactive land activation measures including the Planning Authority's powers for land acquisition / compulsory purchase and derelict sites and vacant land. The area plans should also align with sources of funding to facilitate key regeneration projects such as the Croí Cónaithe (Towns) Fund Scheme, and Town Centre First-aligned funding streams under the government's Town Centre First, A Policy Approach for Irish Towns (2022).

## **5. Education, social and community amenities**

Access to quality childcare, education and health services is a National Strategic Outcome of the NPF. The area plans should therefore seek to align population growth with investment in childcare and education facilities on well-located sites within or close to the existing built-up areas, to meet the diverse needs of local populations.

As such, the area plans should be informed by a social or civic infrastructure audit to establish the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents, and identify the need for any additional facilities.

It is also important that access to existing and proposed facilities by walking or cycling is prioritised consistent with the sustainable approach to settlement and mobility discussed below.

Specifically, in relation to schools, the Planning Authority should consult with the Forward Planning and Site Acquisitions & Reconfiguration and Schools Property Management sections of the Department of Education.

The Planning Authority's current Local Economic and Community Plan and Traveller Accommodation Programme 2025-2029 should also inform the area plans to provide for the co-ordinated spatial planning of housing and community services for each area.

## **6. Economic development, employment and retail**

The NPF, RSES and section 28 guidelines emphasise the need to take an evidence-based approach to the inclusion of objectives for employment and other commercial uses.

In particular, the area plans should be aligned with the detailed economic strategy and all relevant guiding principles of the RSES. Relevant to the future variation, the RSES also:

- identifies Donegal Town as a key year round destination town along the Wild Atlantic Way and the main gateway for tourism attractions in South Donegal;
- Donegal Town and An Clochán Liath are identified as Gaeltacht Service Towns in the RSES which highlights their significant role in the delivery of public services, leisure, social and commercial amenities to Gaeltacht communities; and
- Killybegs is recognised as a marine cluster for engineering expertise and Killybegs Harbour as the Country's primary fishing port, deep water facility and more recently a cruise ship destination. RPO 4.34 identifies Killybegs as a location to enable the development of a strategic marine resource innovation park.

The area plans will also need to ensure they are consistent with the economic strategy of the County Development Plan and any associated objectives.

In terms of identifying the optimal locations for employment zonings, the key criteria should be: compact growth, the sequential approach to development, and the options for sustainable transport having regard to the need to mitigate climate change. These should be supported by an infrastructure assessment report and/or SCA. As noted under section 3, above, such lands should be either serviced or serviceable within the County Development Plan period. The reuse of appropriate brownfield sites and vacant premises should also be prioritised.

The facilitation of retail facilities also need to be considered to provide for the anticipated population growth. Particular regard should be given to the sequential approach to the location of retail development and other provisions of the Retail Planning, Guidelines for Planning Authorities (2012), and the position of the settlements in the retail hierarchy of the County Development Plan.

## **7. Transport and mobility**

The Climate Action Plan 2024 identifies the need to significantly reduce car kilometres and increase sustainable journeys, guided by the National Sustainable Mobility Policy (2022) and the proposed National Demand Management Strategy (2024).

The integration of land use and transportation is centrally important to this objective and to the objectives and provisions of the NPF (NPO 27 alternatives to the car; NPO 33 location of new homes, NPO 54 to reduce our carbon footprint and NPO 64 air quality, among others) and the RSES.

The RSES identifies the requirement for a Local Transport Plan (LTP) for Donegal Town under RPO 6.27. The County Development Plan (Policy T-P-2) also commits to the preparation of LTPs to accompany local area plans and detailed urban plans, in consultation with the National Transport Authority (NTA).

The NTA's Area Based Transport Assessment (ABTA) Advice Note (2018) and ABTA How to Guide, Guidance Document Pilot Methodology (2021) as well as Transport Infrastructure Ireland's (TII) Area Based Transport Assessment (ABTA) Guidance Notes (2018) should be considered by the Planning Authority in preparing the LTP. The LTP should inform the preparation of the area plans and, in particular, the zoning provisions.

The Planning Authority is strongly advised to liaise with the NTA and TII in the preparation of the LTP and to incorporate into the area plans the main objectives, targets and measures of the LTP, along with relevant associated maps, in support of the NPOs referred to, above.

In addition, the area plans should set out an ambitious (but realistic) modal shift target for the settlements.

In order to increase the potential for trips to be made on foot, bicycle or public transport, the area plans should demonstrate consistency with Avoid-Shift-Improve principle and the 10-minute Town Concept, as well as providing for the proactive implementation of the Design Manual for Urban Roads and Streets (revised 2019) and the NTA's Permeability Best Practice Guide.

## 8. Flood risk management

Flood risk management will be the most critical climate change adaptation measure to be addressed in the area plans, informed by a Strategic Flood Risk Assessment (SFRA).

The Planning Authority should ensure that the area plans are consistent with NPO 57 of the NPF by avoiding inappropriate development in areas at risk of flooding, in accordance with the detailed requirements and provisions of section 28 The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009). These guidelines require a staged approach to flood risk assessment and, in particular, the application of the sequential approach and the requirement to carry out the Plan Making Justification Test where appropriate.

Flood risk zones<sup>2</sup> should also be clearly overlaid on any proposed land use zoning maps to illustrate the potential flood risk arising and to demonstrate how the sequential approach has been applied. The Planning Authority is also requested to make a copy of digital mapping data available to the Office and to the Office of Public Works (OPW) to facilitate assessment.

The Planning Authority is strongly advised to liaise with the OPW in the early stages of preparing the SFRA to avoid issues arising at proposed Variation stage. In particular, you should be aware that the Preliminary Flood Risk Area maps are preliminary assessments and should not be relied upon to inform zoning decisions.

In accordance with NPO 57 of the NPF, the area plan is required to integrate sustainable water management solutions, using SuDS nature based solutions. The use of nature based solutions for rainwater management is supported and required to have regard to section 28 guidelines and government guidance including, in particular:

- Compact Settlements Guidelines;
- Development Plans Guidelines;

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<sup>2</sup> With flood zone A and B separately identifiable on the zoning maps



- Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document (2022);
- Local Authority Waters Programme's Implementation of Urban Nature-based Solutions, Guidance Document for Planners, Developers and Developer Agents (2024); and
- Advice Note 5 Road and Street Drainage using Nature Based Solutions, Design Manual for Urban Roads and Streets (2023).

The guidance promotes a more systemic and plan-led approach to water sensitive urban design that combines nature-based solutions with spatial planning, and advises on the cross-sectoral benefits of nature based solutions in terms of protecting against pluvial flood risk, climate adaptation, water quality, biodiversity, road safety in active travel schemes.

## **9. Climate action**

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. The effective implementation of climate mitigation objectives through the County Development Plan and area plans are critical to the achievement of the government's greenhouse gas emissions reduction target to mitigate climate change under the Climate Action and Low Carbon Development Act 2015, as amended (the Climate Act).

The efficient use of land, including through infill development and brownfield development consistent with compact growth, will ensure consistency with NPO 53 of the NPF (land use). An integrated approach to land use and transport planning will help ensure that climate action is integral to the area plans in support of national mitigation targets (NPO 54) under the Climate Act. The area plans should also consider how development in the area might best contribute to the delivery of renewable energy consistent with NPO 55 of the NPF. These NPOs, together with the relevant objectives of the RSES and County Development Plan, will be of particular importance in this respect.

The effective implementation of climate adaption objectives through the area plans will be essential to ensure the towns are climate resilient into the future. As noted above, flood risk management will be the most critical climate change adaptation measure to be addressed in the area plans. The National Adaptation Framework (2024) specifies the national strategy for the application of adaptation measures in different sectors and by

local authorities in their administrative areas in order to reduce the vulnerability of the state to the negative effects of climate change and to avail of any positive effects that may occur.

## **10. Environment, built and natural heritage**

The Planning Authority is the competent authority for Strategic Environmental Assessment and Appropriate Assessment, and will be aware of the Strategic Environmental Assessment, Guidelines for Regional Assemblies and Planning Authorities (2022) issued under section 28 of the Act and the Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (2009), as revised.

The Planning Authority should also ensure the area plans are consistent with objectives of the NPF and RSES concerning environmental protection. In this regard the Office highlights the importance of integrating green and blue infrastructure into the area plans consistent with NPO 58 and planning for greenbelts (NPO 62). Planning for green and blue infrastructure can contribute to climate change adaptation, in particular flood risk management through nature-based solutions (NPO 57 and NPO 63). It can also make a positive contribution to climate mitigation and have positive impacts on biodiversity and clean air (NPO 64).

Regarding built-heritage, the Planning Authority should consider what location specific objectives or measures would assist in the protection or improvement of built heritage within the area plan towns over the period of the County Development Plan. Accordingly, the Planning Authority should have regard to the Architectural Heritage Protection, Guidelines for Planning Authorities (2011).

## **11. Implementation and monitoring**

The NPF and the RSES place increased emphasis on the importance of monitoring the implementation of statutory strategies and plans to measure plan effectiveness and to continually update a relevant evidence base to inform future planning strategies.

The Planning Authority is therefore encouraged to set out specific provisions for monitoring the implementation of the objectives of the area plans, having regard to the provisions of the Development Plans Guidelines.

## Summary

In summary, the Office commends the Planning Authority for the preparation of this Issues and Options Paper. The Office advises the Planning Authority to pay particular attention to the following issues in the preparation of the proposed Variation:

- the housing supply targets for the area plans should be consistent with the County Development Plan's core strategy;
- the approach to zoning land for residential development should prioritise housing delivery in areas close to facilities and services of the town and village centres, where land is already served by appropriate infrastructure or is capable of being serviced within the plan period, and is accessible by walking, cycling and public transport;
- an infrastructure assessment / SCA should be prepared in respect of all land use zoning (in accordance with the methodology set out in appendix 3 of the NPF);
- locations to be zoned for employment should be consistent with compact growth, sustainable mobility and have regard to the sequential approach;
- an LTP should be prepared, in consultation with the NTA and TII, to set out modal share targets and how they will be achieved, and to inform:
  - land use zoning objectives based on accessibility by walking, cycling and public transport;
  - transport initiatives and measures to provide sustainable mobility options for residents and visitors, and in particular providing connectivity from residential areas to services and amenities and reduce dependence on the private car; and
  - public realm enhancements to improve the quality of the public environment within the towns by prioritising pedestrians, heritage, and social and commercial activities;
- site specific land activation measures and targeted objectives to ensure that sites identified for regeneration such as the Coal Yard, Killybegs, and opportunity sites such as Heiton's and Mall Quay, Ballyshannon, are advanced during the plan period including the utilisation of existing buildings, brownfield / infill sites, and derelict and underutilised sites;

- preparing an SFRA and include policies and objectives in the area plans in relation to the implementation of SuDS and nature-based solutions as a means for managing surface water run-off at key development sites. The Planning Authority is advised to consult with the OPW in this regard;
- the rezoning of lands at Cockhill, Buncrana should consider national and regional policy or mandatory objectives for sustainable settlement and transport strategies, and the proper and sustainable development of the area; and
- any potential RZLT rezonings should support the delivery of the County Development Plan's core strategy objectives and policies including guiding development of towns in a sequential manner, promoting the achievement of sustainability, avoiding 'leap- frogging' to more edge-of-centre and edge-of-town areas and to make better use of under-utilised land.

The Office looks forward to reviewing the proposed Variation and to continued positive engagement with your authority in the implementation of national and regional policies at the county and local level.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at [plans@opr.ie](mailto:plans@opr.ie).

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Designated Public Official under the Regulation of Lobbying Act 2015