

Minutes of Special Meeting of Louth County Council held in the County Hall, Dundalk, Co. Louth at 6.00 p.m. on Tuesday 9th June 2015

In attendance:

Cathaoirleach: Cllr. Oliver Tully

Members: Councillors: D. Breathnach, M. Butler, T. Byrne, E. Corrigan, R. Culhane, T. Cunningham, M. Dearey, M. Doyle, K. Flood, J. Green, C. Keelan, J. Loughran, C. Markey, J. McGahon, P. McGeough, D. Minogue, I. Munster, L. Reilly, P. Savage, T. Sharkey, P. Smith, J. Tenanty, M. Yore

Officials J. Martin, Chief Executive
B. Woods, Head of Finance
J. McGuinness, Director of Services
M. T. Daly, A/Director of Services
P. Finn, Senior Engineer
K. Hamilton, Senior Executive Planner
A. Dullaghan, Conservation Officer
S. McVerry, Senior Staff Officer
P. Donnelly, A/DoS, Meetings Administrator

Apologies Cllr. K. Callan
F. Pentony, Director of Services

Minute No. 130/15

Introduction

The Cathaoirleach Cllr. Oliver Tully, welcomed and thanked the members for their attendance at the Special meeting which he outlined was for the purposes of considering the Chief Executives Report prepared in response to the submissions received in respect of the County Louth Draft Development Plan 2015 – 2021. The members would also be asked to consider the revised Strategic Flood Risk Assessment (SFRA) and the associated maps together with some textual changes that were recommended of foot of the workshops together

with matters that may arise in making their determination in regard to the Draft Development Plan.

The Cathaoirleach also thanked the members together with the Chief Executive and her staff for the attendance at the five workshops held on 15th April, 28th April, 13th May, 25th May and 26th May. He noted that between fifteen and twenty hours had been spent by the members considering the submissions and the Chief Executives responses and he was satisfied that this was a very useful and productive undertaking.

The Chief Executive and the Director of Services in clarifying the format of the reports circulated to the members reminded the members that this particular phase of the process must be completed no later than 15th June and should the members fail to make a determination on any matter the default position would be that the recommendation of the Chief Executive would be the decision.

Minute No. 131/15

Proposed by: Cllr. M. Doyle

Seconded by: Cllr. D. Breathnach

And resolved

That the members consider in the first instance matters pertaining to the Record of Protected Structures.

Minute No. 132/15

Record of Protected Structures

Proposed by: Cllr. P. Savage

Seconded by: Cllr. M. Yore

And resolved

That having considered the Chief Executives Report that the recommendations contained therein and as set out in the revised document circulated to the members following the workshop process that these matters be confirmed save the submissions upon which no determination was made and that these and other matters that the members may wish to raise be dealt with on an individual basis.

The Cathaoirleach noted the agreement of all.

Minute No. 133 /15

Submission No. 75 & 208

St. Marys Parish, Drogheda c/o Mc Kevitt Architects

Proposed by: Cllr. T. Byrne

Seconded by: Cllr. P. Smith

And resolved

That the building DB -371 13622061 St. Mary's National School, Mount St. Oliver, Drogheda not be added to the Record of Protected structures.

The Cathaoirleach noted the agreement of all.

Minute No. 134/15

Submission No. 24

Blackrock Tidy Towns, Mr. Larry Magnier

Proposed by: Cllr. M. Doyle

Seconded by: Cllr. D. Minogue

That the sea wall at Blackrock be added to the Record of Protected Structures. There followed a roll call vote.

For: Cllrs. M. Dearey, M. Doyle, J. McGahon, D. Minogue,
L. Reilly.
Total Five (5)

Against: Cllrs. D. Breathnach, T. Byrne, E. Corrigan, R. Culhane, T. Cunningham, K. Flood, J. Green, C. Keelan, J. Loughran, I. Munster, T. Sharkey, P. Smith, J. Tenanty, O. Tully
Total Fourteen (14)

Abstain: Cllrs. Savage, Yore
Total Two (2)

Absent: Cllrs. P. Bell, M. Butler, K. Callan, A. Cassidy, F. Godfrey, C. Markey, P. McGeough, K. Meenan
Total Eight (8)

The motion failed and the sea wall will not be added to the Record of Protected Structures.

Minute No. 135/15

Submission No. 198

Paul Jennings, The old Rectory, Kells Road, Ardee

Proposed by: Cllr. D. Minogue

Seconded by: Cllr. M. Yore

That the property LHS 017 -067 The Old Rectory, Kells Road, Ardee not be added to the Record of Protected Structures.

There was a show of hands in this matter.

For: Fourteen (14) - Against: Four (4) - Abstain: One (1) - Absent ten (10)

The motion was carried and the Property will not be added to the Record of Protected Structures.

Minute No. 136/15

Submission No. 170

Tom McDonnell, Marksville House, Ardee

Proposed by: Cllr. D. Minogue

Seconded by: Cllr. M. Yore

That the property LHS017- 078 13901717, Marksville House, Ardee not be added to the Record of Protected Structures.

This was agreed and the property will not be added to the Record of Protected Structures.

Minute No. 137/15

Submission No. 36

Kathleen Campbell, Loughantarve House, Knockbridge.

Proposed by: Cllr. D. Breathnach

Seconded by: Cllr. L. Reilly

That the property LHS011- 029 13901111, Loughantarve House, Knockbridge be deleted from the Record of Protected Structures.

There was a show of hands in this matter.

For: Fifteen (15) - Against: three (3) – Absent: Eleven (11)

The motion was carried and it is now proposed to delete the Property from the Record of Protected Structures.

Minute No. 138/15

Submission No. 55

Ivor McDowell c/p Adrian Ledwith Solicitor

Proposed by: Cllr. M. Yore

Seconded by: Cllr. D. Minogue

And resolved:

That the property LHS019- 008 13901901, Dunany Cottage not be added to the Record of Protected Structures.

Minute No. 139/15

Dromena House, Castlebellingham

Proposed by: Cllr. P. McGeough

Seconded by: Cllr. I. Munster

And resolved:

That the property LHS015-040 Dromena House Castlebellingham not be added to the Record of Protected Structures.

Minute No. 140/15

Darver Castle & Knockabbey Castle

The members noted that the Chief Executive will ensure that matters pertaining to proposed developments in the curtilage of Protected Structures will be explored to find a suitable resolution.

Minute No. 141/15

The Cathaoirleach Cllr. Oliver Tully had to excuse himself from the meeting and the Leas Cathaoirleach Cllr. Marianne Butler assumed the role for the duration of the meeting.

Minute No. 142/15

Report on Submissions

Proposed by: Cllr. P. Savage

Seconded by: Cllr. M. Yore

That having considered the Chief Executives Report that the recommendations contained therein and as set out in the revised document circulated to the members following the workshop process that these matters be confirmed save the submissions upon which no determination was made and that these and other matters that the members may wish to raise be dealt with on an individual basis.

Amendment

Proposed by: Cllr. M. Dearey

Seconded by: Cllr. C. Keelan

That submission no. 201 is further considered and not included in the list of items confirmed as agreed.

The Cathaoirleach noted the agreement of the meeting as proposed by the amendment.

Minute No. 143/15

Declaration of possible Conflict of interest.

Cllr. Sharkey advised the meeting of a possible conflict of interest on his behalf in respect of Submission no. 201 and excused himself from the Chamber when the matter was discussed.

Minute No. 144/15

Submission No. 201

GVA on behalf of Tesco Ireland Ltd.

That Map 1 : Dundalk Core Shopping Area Map located in Appendix 12 Draft Retail Strategy remains as per Draft Development Plan 2015-2021

Proposed by : Cllr M. Dearey

Seconded by Cllr C.Keelan

Minute No. 145/15

Submission No. 73

Cllr. Pearse McGeough

Proposed by: Cllr. P. McGeough

Seconded by: Cllr. I. Munster

That Killanny be included in the settlement Hierarchy in the Development Plan.

Following a lengthy discussion on the matter in which the Executive attempted to determine the area of such a settlement a vote by way of a show of hands was called.

For: nine (9) – Against nine (9) Absent – eleven (11)

As there was equality in the votes cast, the Leas Cathaoirleach Cllr. M. Butler choose to exercised the casting vote as provided for in Standing Order 14 (ii) (b). The vote was against the motion and the motion was therefore defeated.

Minute No. 146/15

Submission No. 144 & 151 (9)

Paul & Maria Woods / Cllr. P. Savage & Cllr. J. Loughran

Proposed by: Cllr. P. Savage

Seconded by: Cllr. J. Loughran

That the boundary of Carlingford settlement be extended 100 yards in the Omeath direction beyond Viewpoint Guest House to accommodate applications for qualified persons living within yards of this boundary.

A vote by show of hands followed

For: Fifteen (15) – Against two (2) – Absent twelve (12)

The motion was carried.

Minute No. 147/15

Submission No. 58

EHP Services on behalf of Eamon & Hugh Crilly

Proposed by Cllr. P. Savage

Seconded by Cllr J. Loughran

That lands identified in Submission No.58 be identified to accommodate nursing homes and analogous services.

A vote by show of hands followed

For: Fifteen (15) – Against: Two (2) – Abstain: Three (3) - Absent: nine (9)

Minute No. 148/15

Submission No. 151 (10)

Cllr. P. Savage & Cllr. J. Loughran

Proposed by: Cllr. P. Savage

Seconded by: Cllr. J. Loughran

That provision be made for a bypass road from Shilties Lough on the Greenore Road to the Grove Road at the sewerage works and that this be included as an objective of the Development Plan.

Minute No. 149/15

Submission No. 151 (11)

Cllr. P. Savage & Cllr. J. Loughran

Proposed by: Cllr. P. Savage

Seconded by: Cllr. J. Loughran

That the maximum distance between settlements and an eligible site be 150 metres and not 400 metres as provided for in Policy SS53.

A show of hand was recorded:

For: eleven (11) – Against: eight (8) – Abstain; three (3) – Absent Seven (7)

The motion was carried.

Minute No. 150/15

Submission No. 151 (12)

Cllr. P. Savage & Cllr. J. Loughran

Proposed by: Cllr. M. Dearey

Seconded by: Cllr. M. Butler

That Policy SS54 not be amended as set out in the submission 151 (12) to reduce the green/undeveloped distance between housing development (4 in a row) be 150 metres and that ribbon development only refers to housing along the edge of a major road (primary/secondary/regional or Class 3) and not minor roads, cul de sacs or private roads/rights of way.

A show of hand was recorded:

For: eight (8) – Against: twelve (12) – Abstain; zero (0) – Absent nine (9)

The motion was defeated. Therefore Policy SS54 will be amended as per submission 151 (12).

Minute No. 151/15

Submission No. 151 (13)

Cllr. P. Savage & Cllr. J. Loughran

The Chief Executives recommendation was agreed – Addressed Table 7.4 of the Draft Plan already outlines varying visibility requirements according to the class of the public road in question.

Minute No. 152/15

Submission No.122

Cllr. Alan Cassidy

It was agreed that in - Reference 9.9.9 Construction Methods – that reference to materials used in the construction of cob dwellings be subject to compliance with the building regulations.

Minute No. 153 /15

Submission No.161

Burncorp Group Ltd.

Proposed by: Cllr. P. Savage

Seconded by: Cllr. J. Loughran

That the submission 161 in its entirety be adopted.

The submission refers to the insertion of a specific objective in the plan for the creation of a new economic / business zone on the former N1 (R132) at Carrickcarnon, County Louth.

A show of hands was recorded:

For: seventeen (17) – Against: two (2) – Abstain; zero (0) – Absent: ten (10)

The motion was carried.

Minute No. 154/15

Submission No.167

Sean O'Reilly c/o EHP Services

Proposed by: Cllr. D. Breathnach

Seconded by: Cllr. C. Keelan

That the submission 167 in its entirety be adopted.

Amendment

Proposed by: Cllr. C. Markey

Seconded by: Cllr. D. Minogue

The Council retain the zoning only on the **portion of the subject lands (submission No 167)** which are zoned in the existing Development Plan.

A show of hand was recorded:

For: sixteen (16) – Against: zero (0) – Abstain: (1) – Absent: twelve (12)

The amendment was carried.

Minute No. 155/15

Submission No.173

Mr. Niall & Mrs Elizabeth Keenan c/o EHP Services

Proposed by: Cllr. M. Butler

Seconded by: Cllr. J. Tenanty

The recommendations of the Chief Executive were agreed.

Minute No. 156/15

Submission No.178

Anthony McShane

Proposed by: Cllr. P. Savage

Seconded by: Cllr. J. Loughran

The recommendations of the Chief Executive were agreed.

Minute No. 157/15

Submission No.110

North Louth Dementia Family Support Group.

Agreed that text be changed:

“That best practice in town planning and design will also be considered in the design of the Public realm.”

Minute No. 158/15

Reference to Section 2.19.5

Definition of Qualifying Land owner

Proposed by: Cllr. P. Savage

Seconded by: Cllr. J. Loughran

That the text be amended in Section 2.15.5 to reduce the term of ownership of land in relation to definition of qualifying land owner from twenty five (25) years to ten years (10)

Amendment

Proposed by: Cllr. M. Dearey

Seconded by: Cllr. Butler

That the policy be amended to reduce the term of ownership of land for qualifying applicants from twenty five (25) years to twenty years (20)

A show of hands was recorded:

For: five (5) – Against: ten (10) – Abstain; zero (0) – Absent: fourteen (14)

The Amended was defeated.

A show of hands on the motion was recorded.

For: ten (10) – Against: five (5) – Abstain; zero (0) – Absent: fourteen (14)

The motion was carried

Minute No. 159/15

Minor Word Changes

The following minor word changes were agreed on foot of discussion at the workshops:

Minor Word Changes on Foot of Workshops

- Include at end of SS43 (as per Table 2.9)
- Amend RD29 and RD 30 to include wording “*inter alia*”
- Change title of Appendix 2 of Volume 2 Appendices to read “Level 3 and Level 4 Settlement Plans”
- Proposed change to text in page 19 as follows:

~~Phasing proposal relates to two phases of development; one for the duration of this plan a second phase “Strategic Reserve” for consideration beyond 2021. The inclusion of such lands as a Strategic Reserve will not in any way imply a prior commitment on the part of Louth County Council regarding their future zoning during the preparation of the subsequent County Development Plan for the period 2021-2027.~~

The inclusion of lands as Strategic Reserve will not in any way imply a prior commitment on the part of Louth County Council regarding their

future zoning during the preparation of the subsequent County Development Plan for the period 2021-2027.

- Volume 2 Appendix 2 Table 1.1 Land Use Zoning and Objectives....
- Under Zone 1 Land Use Zoning Category “Strategic Reserve” remove the following wording.....

~~“Phase two land will be reserved to allow proper planning and sustainable development in the next plan periods”~~

- Additional wording “ and settlements” to RES39, 41 and EDE8.
- Change of wording to Section 8.8 Regional Waste Management Plans as follows:

Delete the following:

~~The north east region waste management plan 2005-2010 was subject to an evaluation report in 2012. This plan remains operational until replace by the eastern/midlands waste management plan~~

and replace with the following:

The Eastern Midlands Region Waste Management Plan 2015-2021 has been adopted.

Change wording of ENV22 to read as follows:

“To implement and support the provisions of the eastern midlands region waste management plan 2015-2021”

- Include the following wording to RD1:
- “.....and the Draft Rural Development Programme (or any subsequent programme adopted thereafter) pertaining to the sustainable and balanced development of County Louth’s rural areas”.
- WS9: Change of wording from “settlements” to “developments”
- S5.8.2: Include additional Champion Trees

Minute No. 160/15

Submission No. 189

Stop @ Dunleer (Chairman Niall Gallen)

Proposed by: Cllr. C. Markey

Seconded by: Cllr. D. Minogue

That in reference to Policy TC33 seeking that in respect of rail based parking facilities that mid Louth be included in the objective.

A show of hands on the motion was recorded.

For: seven (7) – Against: eight (8) – Abstain; zero (0) – Absent: fourteen (14)

The motion was defeated.

Minute No. 161/15

Chief Executives Report on Submission on the Draft Louth County Development Plan 2015 -2021

Proposed by: Cllr. M. Yore

Seconded by: Cllr. C. Keelan

And resolved:

To accept and confirm the Chief Executives Report and recommendations as amended on the submissions of the Draft Louth County Development Plan 2015 -2021 including

- The recommendations set out in the report
- Amendments to said recommendations
- Decisions on other matters raised by the members not recorded as submissions.
- Minor textual amendments as set out following the workshops.
- The Strategic Flood Risk Assessment Report and accompanying maps.

A show of hands on the motion was recorded.

For: ten (10) – Against: three (3) – Abstain; three (3) – Absent: thirteen (13)

That concluded the business of the meeting.

The Minutes were confirmed at a meeting of Council held on:-

Date: _____

Cathaoirleach: _____

Meetings Administrator: _____