

Adjourned September Monthly Meeting Reconvened - Wednesday 23rd September 2020 at 5pm

(Draft County Development Plan 2021-2027)

Minutes of the Monthly Meeting of Louth County Council held in St. Gerard's Hall, Dundalk on Wednesday 23rd September 2020

In Attendance: -

Executive: J Martin (CE), F Pentony (DOS), P Donnelly (DOS), Alan Sherry (Meetings Administrator)

Councillors: M Butler, James Byrne, Joanna Byrne, E Coffey, H Conlon, T Cunningham, M Doyle, M. Hall, C Keelan, S Kelly, F MacRaghnaill, C Markey, P McGeough, A McKevitt, K Meenan, D Minogue, D Power, John Reilly, Liam Reilly, T Sharkey, P Smith, J Tenanty, E Tully, A Watters, M Yore. **(25)**

Absent: Cllrs. K Callan, E. Corrigan, P McQuillan, J. Sheridan **(4)**

Forward Planning Staff: Joanna Kelly, Senior Planner, Turlough King, Senior Executive Planner, Clare O'Hagan, Senior Staff Officer

Minute No. 152/20

Consideration of the Louth County Development Plan:

Cllr P McGeough sought clarification in relation to making decisions on zonings once the Draft Development Plan goes on public display.

The CE advised that the pre Draft had been presented to the members for consideration, until 2nd October with any proposals to be put forward. She also advised that there were no constraints on the members to bring forward proposals with regard to zonings.

Zoning proposals

The Senior Planner referred to a number of queries still being received rather than actual amendments and that it was difficult to provide information to members pending clarity on this.

1. Query – Cllr. Pio Smith

Cllr P Smith – proposed amendment regarding the re-wording of Paragraph 3.17.1 in relation to L5 settlements

The Senior Planner advised that there was no zonings in the Level 5's but that a boundary is provided to identify each settlement.

2. Submission – Cllr. Tomás Sharkey

Proposed amendment

The lands in question comprise a 2.7 acre landholding currently in agricultural use situated to the rear of the existing Stamanaran Housing Estate, accessed off the Old Golflinks Road, Blackrock, Co Louth. The purpose of this proposal is to seek a change in the zoning of the 2.7 acre lands in the current draft Louth County Plan from 'Open Space' to 'A2 – New Residential.'

Notes provided with the submission indicate that the land comprise of what was previously a wetland habitat.

Land previously zoned green open space, has been developed on. He advised that a new survey had been carried out on the wetland and that the land in question is no longer regarded as a viable wetlands habitat, with maps to be updated on GIS.

The CE advised that no proposed de-zoning was provided with submission. Cllr Sharkey identified as per page 2 of submission, the land identified as GM1 would be de-zoned and to move a parcel marked green to residential and residential to open space.

J Kelly advised that zoning is existing residential and that compensations would have to come from new residential and not existing residential. A discussion ensued on the status of the revised maps submitted to members, the purpose of which was to correct mapping errors identified.

Cllr Sharkey queried if the timelines for consideration of the Draft Development Plan was affected by the issue of corrected maps.

The CE advised of the challenge in redistributing core strategy due to the extent of over zoning

Cllr. M Doyle sought clarification in relation to the land in question re: landlocked – entrance would have to come through estate

Cllr Yore questioned ownership of land and capacity of infrastructure

Cllr. Sharkey: when pp given it suggested that services would be continued. Also that time was spent putting submission together. He also queried as to where Standing Orders lie with regard to proposals made when document provided is only 3 days old.

The CE advised that she was happy to seek legal advice

Cllr. Sharkey requested that all potential mapping errors be identified before continuing with proposals.

Cllr Butler – proposed that CE get legal advice on the matter –

Proposed by M Butler

Seconded by Cllr. P Smith

It was agreed that consideration of the pre-Draft Plan would continue while the legal opinion was sought.

3. Submission - Cllr. C Keelan

The Senior Planner referred to the motion carried at the previous meeting (21.09.20) in which 4.1 acres were rezoned as Strategic Reserve and that part of the land in question was subject to flood risk. Sought clarification as to which parts were to be put into Strategic Reserve as the lands identified were in excess of the requirement.

Cllr. Keelan advised that the 4.1 acres was to be taken in a vertical line bordering onto the Inner Relief Road.

Planners agreed to review map in this context

4. Submission– Cllr. J Tenanty

Proposed amendment

Proposal to change lands from 'Strategic Reserve to New Residential and to change lands from New Residential to Strategic Reserve

The CE advised that the land in question was part of the golf course.

Cllr H Conlon seconded the motion

Cllr Tenanty – proceed with proposal to de-zone new residential lands at golf course and rezone lands as strategic reserve to new residential.

Proposed by: Cllr. J Tenanty

Seconded by: Cllr. H Conlon

A roll call vote was recorded as follows:

In favour of proposal: Cllrs. James Byrne, Joanna Byrne, E Coffey, H Conlon, T Cunningham, M. Hall, C Keelan, S Kelly, F MacRaghnaill, C Markey, P McGeough, A McKevitt, K Meenan, D Minogue, D Power, John Reilly, Liam Reilly, T Sharkey, P Smith, J Tenanty, E Tully, A Watters, M Yore– **Total 23**

Against: – Cllr. M. Butler **Total 1**

Abstained:– **Total 0**

Absent:– Cllrs. K Callan, E. Corrigan M. Doyle, P McQuillan, J Sheridan **Total 5**

The amendment was passed.

5. Submission – Cllr. M Hall

Proposed amendment

Cllr. Hall – proposal to extend the town boundary line to 0.7acres off The Black Croft Field, Nunneryland, Termonfeckin and rezone that land to new residential and to de-zone lands on Thunder Hill, Termonfeckin, situated adjacent to 3 National Monuments: #041010(Castle Tower House) #041011 (Bawn) #041015 (Ritual site - Holy Well) to Open Space or Strategic Reserve with a spot objective located nearest to said National Monuments.
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Proposed by: Cllr M Hall

Seconded by: Cllr. P Smith

A roll call vote was recorded as follows:

In favour of proposal: Cllrs. Joanna Byrne, E Coffey, H Conlon, T Cunningham, M. Hall, C Keelan, S Kelly, F MacRaghnaill, C Markey, P McGeough, A McKevitt, K Meenan, D Minogue, D Power, John Reilly, Liam Reilly, T Sharkey, P Smith, J Tenanty, E Tully, A Watters, M Yore – **Total 22**

Against: – Cllr. M. Butler - **Total 1**

Abstained:– Cllr. James Byrne - **Total 1**

Absent:– Cllrs. K Callan, E. Corrigan M. Doyle, P McQuillan, J Sheridan - **Total 5**

The amendment was passed.

6. Submission/Amendment – Cllr. L Reilly

Proposed amendment

Cllr. L Reilly proposal to rezone Open Space to New Residential and to de-zone from new residential to Open Space.
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Issue raised with regard to trees and hedgerows of special amenity value in the location identified. Cllr. L Reilly clarified that there was no encroachment at the pond site. Cllr. M Butler requested to have map corrected.

Decision taken to defer amendment until a later meeting, to allow for map to be corrected and site inspection to be undertaken.

7. Submission – Cllr. J. Reilly

Proposed amendment

Cllr. J Reilly: proposal to zone lands in Carlingford for Tourism and Leisure uses to increase tourist potential in the area.

The CE advised that the land in question was ‘Shilties Lough’ on which enforcement proceedings had been taken in the past and that the site was an important sactuary.

Proposal withdrawn.

RURAL HOUSING

8. Submission – Cllr. M Hall

Proposed amendment

Cllr. Hall – proposal to insert additional criteria to Chapter 3 – Housing, Table 3.5 (Local Housing Need Qualifying Criteria in Rural Policy Zone 2).
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A person who has been a native resident for at least 10 years that previously owned a home and is no longer in possession of that home due to the home having been disposed of following legal separation / divorce / repossession and can demonstrate a social or economic need for a new home in the rural area. Supporting documentation from appropriately qualified professionals who are familiar with the circumstances of the applicant in a professional capacity clearly demonstrating compliance with this criteria shall be included with any application.
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Following discussion from the floor, Cllr Hall agreed to remove sentence beginning: support documentation.....included with any application.

The proposed wording, as agreed:

A person who has been a native resident for at least 10 years that previously owned a home and is no longer in possession of that home due to the home having been disposed of following legal separation / divorce / repossession and can demonstrate a social or economic need for a new home in the rural area.

Proposed by: Cllr M Hall

Seconded by: Cllr. E Coffey

A roll call vote was recorded as follows:

In favour of proposal: Cllrs. M. Butler, James Byrne, Joanna Byrne, E Coffey, H Conlon, T Cunningham, M. Hall, C Keelan, S Kelly, F MacRaghnaill, C Markey, P McGeough, A McKevitt, K Meenan, D Minogue, D Power, John Reilly, Liam Reilly, T Sharkey, P Smith, J Tenanty, A Watters, M Yore – – **Total 23**

Against: – Total 0

Abstained:– Total 0

Absent:– Cllrs. K Callan, E. Corrigan M. Doyle, P McQuillan, J Sheridan, E. Tully **Total 6**

The amendment was passed.

9. Submission/Amendment – Cllr. E Coffey

Proposed amendment

Cllr. Coffey – proposal to amend the wording of the criteria for persons who have ‘exceptional health circumstances’ as set out in Chapter 3 – Housing, Table 3.5 (Local Housing Need Qualifying Criteria in Rural Policy Zone 2).

Persons ~~Native residents~~ who are required to live in a rural area for exceptional health reasons. Any application shall be accompanied by a medical consultants report and recommendation outlining the reasons why it is necessary for the applicant to live in a rural area. A supporting letter from a disability organisation of which the applicant is a registered member or documentation from appropriately qualified professionals or organisations who are familiar with the applicant in a professional capacity and represents or supports persons with a medical condition or a disability shall also normally be required. The application shall also demonstrate why the existing home of the family member cannot be adapted to meet the needs of the applicant.

Following discussion from the floor, Cllr Coffey agreed to the following wording:

Persons who are required to live in a rural area, for exceptional health reasons. Any application shall be accompanied by a medical consultants report and recommendation outlining the reasons why it is necessary for the applicant to live in a rural area. The application shall also demonstrate why the existing home of the family member cannot be adapted to meet the needs of the applicant.

Proposed by: Cllr E Coffey

Seconded by: Cllr. S Kelly

A roll call vote was recorded as follows:

In favour of proposal: – Cllrs. M. Butler, James Byrne, Joanna Byrne, E Coffey, H Conlon, T Cunningham, M. Hall, C Keelan, S Kelly, F MacRaghnaill, C Markey, P McGeough, A McKeivitt, K Meenan, D Minogue, D Power, John Reilly, Liam Reilly, T Sharkey, P Smith, J Tenanty, A Watters, M Yore –**Total 23**

Against: – Total 0

Abstained:– Total 0

Absent:– Cllrs. K Callan, E. Corrigan M. Doyle, P McQuillan, J Sheridan, E. Tully -**Total 6**

The amendment was passed.

10. Submission – Cllr. A Watters

Proposed amendment

Cllr. Watters – proposal to clarify if persons who qualify in Rural Policy Zone 1 qualify in Rural Policy Zone 2. Chapter 3 – Housing, Section 3.17.4 (Rural Generated Housing Need) and insertion of text into section 13.7.4.

For clarification any persons from Rural Policy Zone 1 who are native residents of the area and have demonstrated a rural housing need but are not engaged in full time agricultural activities will be deemed to qualify to build on a suitably located site in Rural Policy Zone 2. The application site shall not normally be a distance of more than 6 kilometres from the qualifying family residence.

Proposed by: Cllr A. Watters

Seconded by: Cllr. James Byrne

A roll call vote was recorded as follows:

In favour of proposal: – Cllrs. M. Butler, James Byrne, Joanna Byrne, E Coffey, H Conlon, T Cunningham, M. Hall, C Keelan, S Kelly, F MacRaghnaill, C Markey, P McGeough, A McKevitt, K Meenan, D Minogue, D Power, John Reilly, Liam Reilly, T Sharkey, P Smith, J Tenanty, A Watters, M Yore –**Total 23**

Against: – Total 0

Abstained:– Total 0

Absent:– Cllrs. K Callan, E. Corrigan M. Doyle, P McQuillan, J Sheridan, E. Tully -**Total 6**

The amendment was passed.

11. Submission – Cllr. A Watters

Proposed amendment

<p>Cllr. Watters: proposal to insert additional qualifying criteria for persons living in Rural Policy Zone 1. Chapter 3 – Housing, Table 3.4 Local Housing Need Qualifying criteria in Rural Policy Zone 1.</p>
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<p>Permission will be considered for dwellings for a son or daughter of a landowner who are native residents of the area to build a first home for permanent occupation. A qualifying landowner is defined as a person who owns a landholding of at least 1.5 hectares and has owned the land for a minimum of 10 years. Any applicant under this category must demonstrate a rural housing need and shall not have previously owned a dwelling. Any application will be subject to the appropriate siting and consideration of proper planning and sustainable development.</p>
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Following discussion from the floor Cllr. Watters amending the wording as follows:

Permission will be considered for 2 no. dwellings, in addition to the family home, for a son or daughter of a landowner who are native residents of the area to build a first home for permanent occupation. A qualifying landowner is defined as a person who owns a landholding of at least 3 hectares and has owned the land for a minimum of 10 years. Any applicant under this category must demonstrate a rural housing need and shall not have previously owned a dwelling. Any application will be subject to the appropriate siting and consideration of proper planning and sustainable development.

Proposed by: Cllr A. Watters

Seconded by: Cllr. S Kelly

A roll call vote was recorded as follows:

In favour of proposal: Cllrs. James Byrne, Joanna Byrne, E. Coffey, T. Cunningham, C. Keelan, S. Kelly, P. McGeough, A. McKevitt, K. Meenan, D. Minogue, D. Power, L. Reilly, T. Sharkey A. Watters – **Total 14**

Against: – Cllrs. M. Butler, H. Conlon, M. Hall, F. MacRaghnaill, C. Markey P. Smith, M. Yore - **Total 7**

Abstained:– Total 0

Absent:– Cllrs. K Callan, E. Corrigan M. Doyle, P McQuillan, J. Reilly, J Sheridan, J. Tenanty, E. Tully –**Total 8**

The amendment was passed.

12. Submission– Cllr. James Byrne

Proposed amendment

Cllr. James Byrne – proposal to amend wording of Policy Objective HOU 40
To recognise the sensitive scenic and culturally important landscape in Rural Policy Zone 1 which includes Carlingford Lough and Mountains, part of the UNESCO World Heritage Site of Brú na Bóinne, the Tentative World Heritage Site of Monasterboice, and the Battle of the Boyne Battlefield Site, ~~and the need to carefully manage development in these areas~~ and the need to balance this against the sustainability of these communities in carefully managing development in these areas.

The Senior Planner suggested that additional wording be added - “whilst recognising existing communities in these areas”

Cllr James Byrne accepted the additional wording, as follows:

To recognise the sensitive scenic and culturally important landscape in Rural Policy Zone 1 which includes Carlingford Lough and Mountains, parts of the UNESCO World Heritage Site of Brú na Bóinne, the Tentative World Heritage Site of Monasterboice, and the Battle of the Boyne Battlefield Site, and the need to carefully manage development in these areas whilst recognising the existing communities in these areas.

Proposed by: Cllr James Byrne

Seconded by: Cllr. E Coffey

A roll call vote was recorded as follows:

In favour of proposal: Cllrs. James Byrne, Joanna Byrne, E. Coffey, T. Cunningham, M. Hall, C. Keelan, S. Kelly, P. McGeough, A. McKeivitt, K. Meenan, D. Minogue, D. Power, L. Reilly, P. Smith, A. Watters, M. Yore. **Total - 16**

Against: Cllrs. M. Butler, H. Conlon, C. Markey – **Total 3**

Abstained: Cllr. F. MacRaghnaill - **Total 1**

Absent: K. Callan, E. Corrigan, T. Cunningham, P. McQuillan, J. Reilly, T. Sharkey, J. Sheridan, J. Tenanty, E. Tully - **Total 9**

The amendment was passed.

13. Submission– Cllr. Pio Smith

Proposed amendment

Cllr. Pio Smith – proposal to re-word paragraph 3.17.6 - Development in Level 5 Settlements – Rural Villages

There are 24 Level 5 Settlements in the county. These villages vary significantly in terms of population, employment opportunities, sports and community facilities, schools’ provision, childcare provision, shops, pubs, and public piped services capacity. Some are small rural villages that consist of a cluster of houses and a limited level of services. Some of these villages are served by public mains water and/or waste water supply, whilst some of these villages have neither. There is varying capacity in these villages to accommodate sustainable growth, with the capacity to accommodate such growth dependent on the size of the village and level of services available.

Any applicants wanting to build a new dwelling or person(s) purchasing a property in a multi-unit development in Level 5 Settlements will be required to demonstrate a County Based Local Area housing need. A county based local area need refers to, the housing need of persons who are from County Louth or who work within County Louth. In determining what

constitutes a county based local area need for Level 5 Rural Settlements, the Council will take into consideration the applicant's family, work, school and other ties with the County in addition to his or her accommodation needs.

The design and layout of any dwelling or development will have regard to the existing pattern of development in the village.

Proposed by: Cllr Pio Smith

Seconded by: Cllr. M Yore

A roll call vote was recorded as follows:

In favour of proposal: Cllrs F. MacRaghnaill, D. Minogue, P. Smith, M. Yore – **Total 4**

Against: Cllrs. M. Butler, Joanna Byrne, E. Coffey, H. Conlon, T. Cunningham, S. Kelly, C. Markey, P. McGeough, A. McKeivitt, L. Reilly, A. Watters – **Total 11**

Abstained:– Cllrs. James Byrne, M. Hall, C. Keelan, D. Power - **Total 4**

Absent:– Cllrs. K. Callan, E. Corrigan, M. Doyle, P. McQuillan, K. Meenan, J. Reilly, T. Sharkey, J. Sheridan, J. Tenanty, E. Tully - **Total 10**

The amendment was defeated.

14. Submission – Cllr. M Hall

Proposed amendment

Cllr. M Hall – proposal to insert the word 'new' to Policy Objective HOU 42
To manage the development of **new** housing (including single dwellings and multi-unit developments) in Level 5 settlements by requiring applicants of **new** single dwellings or persons purchasing a property in a new multi-unit development to demonstrate compliance with the Local Needs Qualifying Criteria as set out in Table 3.5.

The amendment was agreed by the members

15. Adjournment of Meeting

Agreed to adjourn the meeting until 5pm on Wednesday 30th September, 2020

Proposed by: Cllr L Reilly

Seconded by: Cllr. E Coffey

That concluded the business of the meeting

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

Date:

Cathaoirleach:

Meetings Administrator:
