



Leitrim County Council

**Planning & Development Acts 2000 (As Amended)
PART XI**

**Planning & Development Regulations 2001 (As Amended)
PART VIII**

Planning Register Ref. No. 21-C-04

***PROPOSED PUBLIC CAR PARK AND PUBLIC ACCESS TO THE COASTLINE
FROM TULLAGHAN VILLAGE.***

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1.0 Introduction

County Leitrim has a narrow and slim coastline that opens into Donegal Bay and which is very popular with surfers that come to this area from neighbouring Bundoran and beyond. The swell and waves that come to this coast attract surfers of all types and standards. However there is currently no public access to the coast from any public road with surfers traversing through private lands to gain access to the coastline. Leitrim County Council is proposing the development of a public car park and a public access route to the coastline from Tullaghan Village (See Fig 1 below) and which includes the following;

1. The widening and surfacing of the existing access road to the Wastewater Treatment Plant site to include the provision of a 1.8m wide footpath with public lighting and the restoration of the existing piers and boundary wall at the entrance area off public road L2059.
2. Provision of car parking at the Treatment Plant site, including hard and soft landscaping of the site and the provision of public lighting.
3. Construction of a 4m wide road from the proposed car park to the coastline for pedestrian and emergency vehicle access with a turning circle and the provision of seating and a biodiversity area.



Fig 1

2.0 Overview

The subject site is located to the north-east and adjacent to the core centre of Tullaghan Village. The proposals will utilise the existing entrance (see photo 1 overleaf) that serves the wastewater treatment plant that is located on the public road L2059. This site is already served by an existing footpath from the centre of the village which passes this existing entrance (see photo 2 overleaf). The proposals will connect this existing access roadway to the wastewater treatment plant which will be upgraded and widened with new fencing erected alongside.

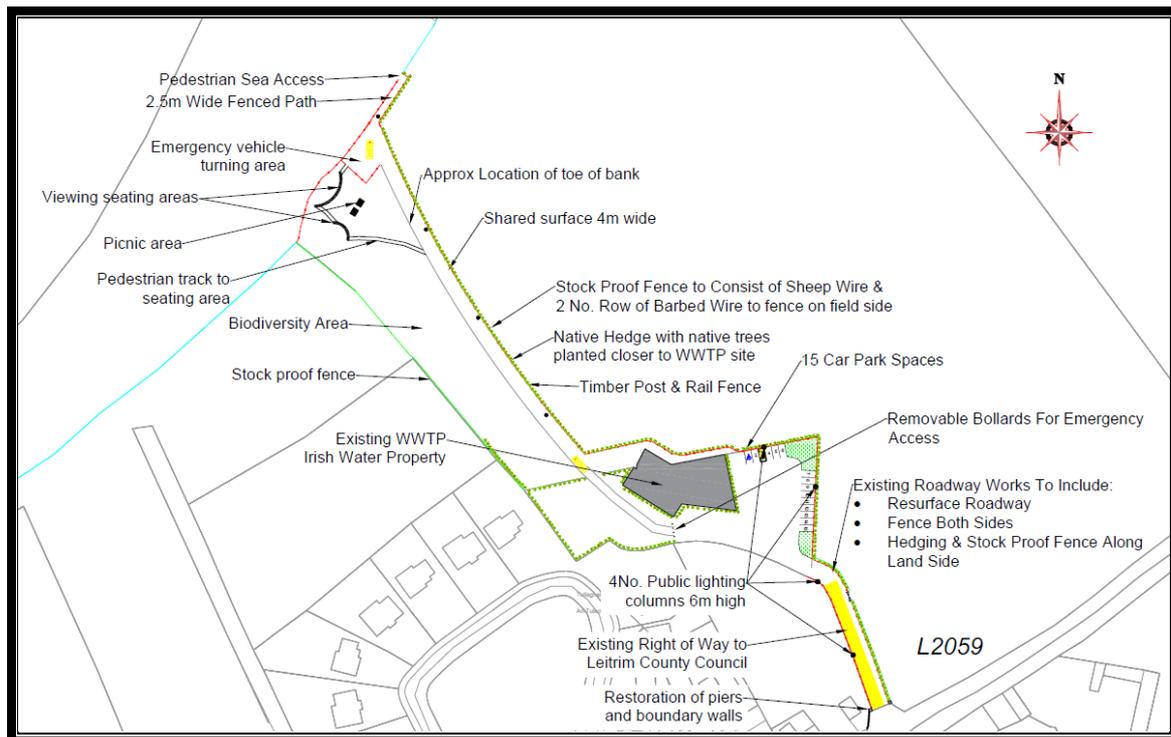


Photo 1 (Existing entrance to Wastewater Treatment Plant)



Photo 2 (Existing footpath to core of village)

The subject lands adjacent to the wastewater treatment plant are currently in the ownership of Leitrim County Council and it is proposed to construct a new car park with 15 no. car parking spaces. A new fence and hedge will be installed around this new car park. It is proposed that a pedestrian accessway will follow around the fence line of the wastewater treatment plant and join the proposed 4m wide roadway onwards to the shoreline. A stockproof fence and new hedging will be provided along the east side of this. A biodiversity area will be created to the west of this roadway and a new proposed seating area is to be provided adjacent to the shoreline (See labelled screenshot of map 1 overleaf).



Map 1 (Labelled Site Layout)

The Part VIII consultation documentation comprised of the following:

1. Newspaper Notice
2. Site Notice
3. Briefing Document
4. Appropriate Assessment Screening Report
5. Archaeology Assessment Report
6. Site Location Map
7. Site Layout Map

3.0 Public Consultation Process

The project was formally advertised for public consultation between Wednesday 07th July 2021 and Wednesday 04th August 2021. Details of the proposed works were available for inspection during normal office hours at the office of the Planning Authority and also on the Council website. The closing date for submissions was Wednesday 18th August 2021.

4.0 Planning Policy Context

National Policy

Smarter Travel: A Sustainable Transport Future, (2009) is the transport policy for Ireland for the period 2009-2020. It recognises the vital importance of continued investment in transport to ensure an efficient economy and continued social development, but also promotes more sustainable transport modes such as walking, cycling and public transport.

National Cycle Policy Framework (2009-2020)

The National Cycle Policy Framework (as part of Smarter Travel – A Sustainable Transport Future 2009) sets out a national policy for cycling, in order to create a stronger cycling culture, a friendlier environment for cycling and improved quality of life. The vision is that all cities, towns and rural areas will be bicycle friendly. The policy document sets a target of 10% of all trips by bicycle by 2020 and places emphasis on promoting and integrating cycle networks.

Leitrim County Development Plan 2015-2021

Leitrim County Development Plan is the statutory land use plan against which the proposed development shall be assessed against. There are a number of policies and objectives set out in our County Development Plan which supports the proposed development. Policy No 1 states that it is the policy of the Council to deliver a *County Tourism Strategy* which will, inter alia, forge strategic and operational partnerships in tourism planning, marketing and promotion with surrounding Counties in the Northwest and Northern Ireland.

Section 3.6.1 of the County Development Plan

This section deals with Sustainable Transportation and the policies and objectives contained therein are guided by the national policy document “*Smarter Travel: A Sustainable Transport Future, (2009)*” which is referred to above. The promotion of initiatives that can reduce congestion, improve local environments, and encourage healthier and safer lifestyles are key features of sustainable transportation. Leitrim County Council seeks to influence people’s travel behaviour towards more sustainable options and seeks to do so by working closely with relevant organisations in improving public transport facilities and promoting opportunities for alternative transportation such as walking and cycling.

Section 3.6.3 of the County Development Plan

This section deals specifically with Walking and Cycling. A number of long distance walking and cycling tourist routes have been laid out and signposted throughout the County. The Council will facilitate the maintenance of existing routes and further expansion of these networks in co-operation with local community groups and the Regional Tourism Authority. These routes will be appropriately signposted so as to facilitate tourists and warn motorists.

Section 3.10.2 of the County Development Plan

This section deals with the ‘*Provision for Recreation and Amenity*’. The Council is aware that the tourism potential of its amenities has not yet been fully developed and will facilitate, and where necessary become directly involved in, the promotion and development of amenities.

Relevant policies and objectives in this regard include:

Policy 18

It is the policy of the Council that in the coastal area, with particular reference to the seaward side of the coast roads (LP-2059-1, LP-2059-2 and LP-2059-3), primary importance will be given to the conservation or enhancement of the landscape and coast, subject to any changes in the National Foreshore Policy which is currently under review.

Policy 19

It is the policy of Leitrim County Council to actively promote and protect public access to the coast.

Objective 29

It is an objective of the Council to seek opportunities for the development of suitable walking routes, cycle tracks and bridle paths along redundant railway lines and other suitable locations such as; along waterways and historical access routes.

Objective 39

It is an objective of the Council to ensure all towns and villages have adequate footpaths and public lighting.

Policy 44

It is the policy of the Council to support the National Policy document Smarter Travel: A Sustainable Transport Future and implement, where feasible, guidance provided within the Design Manual for Urban Roads and Streets, or any updated versions of these documents issued within the lifetime of the Plan.

Policy 46

It is the policy of the Council to encourage safe walking and cycling by providing linear parks, footpaths, cycle paths and public lighting in towns and villages.

Policy 47

It is the policy of the Council to seek to improve the facilities for pedestrians and access facilities for people with special mobility needs in line with the aims of the European Charter of Pedestrian Rights.

5.0 Submissions

5.1 Prescribed Bodies

The application was referred to the following

1. An Chomhairle Ealaíon;
2. Fáilte Ireland;
3. An Taisce;
4. Development Applications Unit of the Department of Culture, Heritage & the Gaeltacht

No reports received from any of the statutory referees.

5.2 Internal Submissions

The application was referred to the following:

1. District Engineer Leitrim North
2. Environment Department
3. Road Design

Reports were received from the following referees:

District Engineer

Report received on the 14th September 2021. Has reviewed documentation and has no comments to make.

Environment Department

Report received on the 08th September 2021. Has reviewed documentation and has no comments to make.

Access Officer

Access Officer report received and noted 26th August 2021

Whilst this proposal was not the subject of a referral to the Access Officer, considering it relates to the provision of outdoor facilities intended for use, I have reviewed the scheme drawings and welcome the proposed development.

- *From the County Development Plan, 2015-2021: **Objective 20** It is an objective of the Council to ensure that the recommended standards such as those set out in Building for Everyone - a Universal Design Approach (NDA 2012) are applied in internal and external built public environments where feasible.*

A series of conditions is recommended to be included by the Access Officer.

Response

The purpose of this stage of the process (Part VIII application) is to make the general public aware of the intentions of Leitrim County Council who are exempt from having to obtain planning permission to undertake development within our own administrative area. It is respectfully considered that all of the points raised in the submissions received from the Access Officer, where considered relevant, will be taken into account at the detailed design stage of the project. The Local Authority will adhere to all requirements set out in their report which relate to compliance with separate codes at detailed design and construction stage.

5.3 Submissions from the General Public

No submissions were received from the general public with regard to this proposed development.

6.0 Assessment

6.1 Policy Assessment

This report has outlined the principal relevant provisions of the County Development Plan 2015-2021 as applicable to the consideration of this Part VIII proposal. On the basis of the reports which were prepared and formed part of the Part VIII application, the Planning Authority is satisfied that the proposed development adheres to and is consistent with the policy framework contained within the statutory development plan. It is not considered that further analysis is required in this regard.

6.2 Appropriate Assessment

NATURA 2000 sites are protected habitats for flora and fauna of European importance. They comprise Special Areas of Conservation (SACs), designated under the Habitats Directive and Special Protection Areas (SPAs), designated under the Birds Directive.

An Appropriate Assessment Screening Statement was prepared by Aquafact International Services Ltd on behalf of Leitrim County Councils Capital Projects Office. With regard to the proposal, the nearest Natura 2000 site is Lough Melvin SAC (Site Code 000428) which is 520m northwest of the project area

with Bunduff Lough and Machair/Trawalua/Mullaghmore SAC (Site Code 000625) being 2km east. The conclusion of the Screening Statement for the proposals is that there would be no significant impacts on the qualifying interests or conservation objectives of any European Sites. A finding of no significant effects report has been presented in accordance with the EU Commissions methodological guidance.

It is considered that the proposed project does not include any element that has the potential to significantly alter the favourable conservation objectives associated with the species and habitats, or, interfere with the key relationships that define the structure or function, either alone or in combination with other impacts, of the identified and/or named Natura 2000 sites.

The proposed methodologies for undertaking the works include details of best practice measures. These measures are described as they form an integral part of the proposed development and must be assessed. However, these measures are designed to reduce impacts on the environment and the ecology of the local area. The Planning Authority contend that the proposed works do not have the potential to result in significant effects on any European site even in the absence of these measures and my assessment has been carried out on this basis.

It is concluded that there are no likely potential impacts, whether direct, indirect or cumulative/in combination, which could give rise to adverse effects on the qualifying interests or the conservation objectives of the above named Natura 2000 sites and that the integrity of this site will not be affected.

The Part VIII application was referred to the Development Applications Unit of the Department of Culture, Heritage & the Gaeltacht who were notified of the relationship between the site and the of the above named Natura 2000 sites. No report has been received from the Department.

The Planning Authority is satisfied that the project does not require to be progressed through to Stage II Appropriate Assessment under the Habitats Directive.

6.3 Environmental Impact Assessment

Schedule 5 of Planning and Development Regulations, 2001 (as amended) sets out thresholds for development for the purposes of requiring the undertaking of Environmental Impact Assessment. The thresholds for car parking and infrastructure is where the construction of a car-park provides more than 400 spaces. This site falls well below such a threshold. The undertaking of an Environmental Impact Assessment can also be required by a Local Authority for a development, which is not listed in the relevant regulations and is considered as 'Sub Threshold'. Should a Planning Authority consider that a development due to its nature and location would likely to have the potential to have an impact on the environment they can request that an Env the undertaking of Environmental Impact Assessment Environmental Impact Report be prepared. Sub Threshold Screening can be considered on a case by case basis to determine whether the development is likely to have a significant effect on the environment. This is not entirely based on size but also includes the nature and location of the proposals.

Having regard to the small scale of the proposal and the recommendations of the Appropriate Assessment Screening Statement above and the archaeological assessment, the Planning Authority is satisfied that the proposed development would not fall under either EIA threshold or sub threshold consideration and no further assessment is required.

6.4 Planning History

None

6.5 Archaeological Assessment

An archaeological assessment was prepared by Tamlyn McHugh of Fadó Archaeology on behalf of Leitrim County Council in preparation of this Part 8 application. The report provides both an Archaeological and Historical background together with a desktop study, Site Inspection and presents a conclusion/recommendation in accordance with best practice and compliant with the National Monuments Act 1930, The Heritage Act 1995, The Architectural Heritage and Historic Properties Act 1999 and Planning and Development Act 2000.

The site inspection was carried out on the 27th May 2021 and the results are presented in the Archaeological Report submitted which concludes that the proposed development will have no direct or negative impact on any upstanding recorded archaeological sites. However due the proximity of recorded monuments of LE001-029 and LE001—028, it is recommended that archaeological monitoring take place during construction. The recommended monitoring areas are as follows:

- Proposed location of the trail where the proposed trail crosses the field and the vehicle turning area adjacent to the sea.
- Proposed location of the trail carpark adjacent to the wastewater works treatment plant

7.0 Conclusion and Recommendation

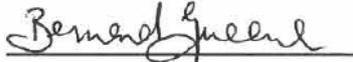
The Planning Department are satisfied that the principle of the proposed development adheres to the provisions of the statutory County Development Plan 2015-2021. The Planning Authority is equally satisfied that the proposed works will not adversely impact upon the sensitive local receiving environment and that the development would accord with the proper planning and sustainable development of the area. All matters pertaining to Environmental, Appropriate Assessment have been addressed through the documentation submitted with the Part VIII application

Section 179(3) of the Planning and Development Act 2000 (As Amended), requires the preparation of a report by the Chief Executive of the Local Authority following the placing of the proposed Part VIII application on public display. This report shall culminate in a recommendation "*whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report or should not be proceeded with, as the case may be*".

It is recommended that the proposed development be proceeded with as proposed subject to the inclusion of the attached recommended conditions.



Joe Duffy
A/Executive Planner
Date: 14th September 2021



Bernard Greene
Senior Planner
Date: 14th September 2021



Joseph Gilhooly,
Deputy Chief Executive
Date: 15th September 2021

Appendix 1 Schedule of Conditions

1. The development shall be executed generally in accordance with plans, particulars, details and specifications lodged as part of the Part VIII consultation documentation, save, as is herein under otherwise required or as agreed in writing with the Planning Department prior to the commencement of development.
2. The surfaced areas shall be constructed in accordance with the guidance set out in *Building for Everyone - a Universal Design Approach* (NDA 2012) as they relate to external built public environments. Details relating to the construction of surfaced areas, to include types of materials and gradients, demonstrating compliance with the guidance, shall be submitted for the agreement of the Access Officer of the Council and the written consent of the Planning Authority shall be obtained prior to commencement of any works.
3. The accessible car parking space shall be laid out in accordance with the guidance set out in *Building for Everyone - a Universal Design Approach* (NDA 2012) as they relate to external built public environments. Details relating to the design of the accessible car parking space, demonstrating compliance with the guidance, shall be submitted for the agreement of the Access Officer of the Council and the written consent of the Planning Authority shall be obtained prior to commencement of any works.
4. The proposed picnic area shall be laid out in accordance with the guidance set out in *Building for Everyone - a Universal Design Approach* (NDA 2012) as they relate to external built public environments. Specifically, the picnic area shall be designed and constructed such that it facilitates the inclusive seating of individuals using wheelchairs. Details relating to the design of the picnic area, including details of proposed tables and seating, demonstrating compliance with the guidance, shall be submitted for the agreement of the Access Officer of the Council and the written consent of the Planning Authority shall be obtained prior to commencement of any works.
5. The proposed viewing seating areas shall be laid out in accordance with the guidance set out in *Building for Everyone - a Universal Design Approach* (NDA 2012) as they relate to external built public environments. Specifically, the viewing seating areas shall be designed and constructed such that they facilitate the inclusive seating of individuals using wheelchairs. Details relating to the design of the accessible viewing area seating, demonstrating compliance with the guidance, shall be submitted for the agreement of the Access Officer of the Council and the written consent of the Planning Authority shall be obtained prior to commencement of any works.
6. All Bollards shall be colour contrasted to their surroundings in accordance with the guidance set out in *Building for Everyone - a Universal Design Approach* (NDA 2012) as they relate to external built public environments. Details relating to the colouring of any Bollards, demonstrating compliance with the guidance, shall be submitted for the agreement of the Access Officer of the Council and the written consent of the Planning Authority shall be obtained prior to commencement of any works.
7. All fencing bounding walking routes shall have a top rail suitable for use as a hand-rail which shall be in accordance with the guidance set out in *Building for Everyone - a Universal Design Approach* (NDA 2012) as they relate to external built public environments. Details relating to the fencing, demonstrating compliance with the guidance, shall be submitted for the agreement of the Access Officer of the Council and the written consent of the Planning Authority shall be obtained prior to commencement of any works.

8. Details of compliance with the foregoing shall be submitted to the Planning Authority for agreement prior to commencement.
9. The services of a suitably qualified archaeologist shall be engaged to monitor all groundwork associated with 2 aspects of the development as outlined in the report prepared to accompany the Part 8 documentation. These relate to:
 - a) Proposed location of the trail where the proposed trail crosses the field and the vehicle turning area adjacent to the sea.
 - b) Proposed location of the trail car park adjacent to the wastewater works treatment plant.

The report of the archaeological monitoring shall include photographs of the area before, during and after monitoring has taken place, as well as detailed photographs of specific areas, as required. An annotated Site Location Map, clearly showing the location and direction from which the photographs were taken shall be included in the report. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer/applicant shall be prepared to be advised by the Department of Housing, Local Government & Heritage with regard to any necessary mitigating action (e.g. preservation in site, or excavation) and shall facilitate the archaeologist in recording any material found. A report describing the results of the monitoring shall be furnished to both the Planning Authority and the Department of Housing, Local Government & Heritage.