



**CHIEF EXECUTIVE'S REPORT ON SUBMISSIONS
RECEIVED TO THE PROPOSED EXTENSION OF
DURATION OF THE LEITRIM COUNTY DEVELOPMENT
PLAN 2015-2021 (AS VARIED)**



**Comhairle Chontae Liatroma
Leitrim County Council**

Date of Report - 17th June 2022



Leitrim County Council
Comhairle Chontae Liatroma

I, Lar Power, Chief Executive of Leitrim County Council issue this Chief Executive's Report to the Elected Members of Leitrim County Council for their consideration. Its purpose is to report on the outcome of the statutory consultation process, as prescribed in Section 11D of the Planning and Development Act 2000, as amended, to extend the duration of the existing Leitrim County Development Plan 2015-2021 (as varied).

The extension of duration of the existing Leitrim County Development Plan 2015-2021 (as varied) is necessary in order to ensure it remains operational until such time as the new Leitrim County Development Plan 2023-2029 comes into effect. The extension of duration will provide for a further period of up to 9 months in order to complete the review of the Leitrim County Development Plan 2015-2021 (as varied) and to prepare and make a new Leitrim County Development Plan for the functional area of Leitrim County Council.

In accordance with legislation, this report lists the persons or bodies who made submissions or observations to the proposal, provides a summary of the issues raised in the submissions or observations made in relation to the proposal to extend the duration of the existing Leitrim County Development Plan 2015-2021 (as varied), and sets out my response to the issues raised.

This report is herein submitted to you, the Elected Members of Leitrim County Council, in accordance with the requirements of Section 11D(5)(a) of the Planning and Development Act 2000, as amended, for your consideration.

A handwritten signature in black ink, appearing to read 'Lar Power', written over a horizontal line.

Lar Power,
Chief Executive, Leitrim County Council

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1 Introduction

The County Development Plan sets out an overall strategy for the proper planning and sustainable development of Co. Leitrim over a six year period. On 17th June 2020, in accordance with the provisions of Section 11 of the Planning and Development Act 2000, as amended, the Planning Authority commenced the review of the existing Leitrim County Development Plan 2015-2021 (as varied) and the preparation of a new Leitrim County Development Plan for the next 6 years.

In July 2021, new legislation was enacted by the Government in response to disruption caused to the plan making process due to the Covid-19 pandemic restrictions. The legislation as set out in the Planning and Development (Amendment) Act 2021 and now contained in Section 11D of the Planning and Development Act 2000, as amended, enables the Planning Authority to extend the duration of the existing County Development Plan to provide for an additional period to complete the preparation of the new County Development Plan.

In accordance with section 9A(2) of the Planning and Development Act 2000, as amended, the Elected Members of Leitrim County Council approved, by resolution at their Council meeting on 6th September 2021, to avail of the new legislative provisions and to initiate the process to extend the period, by up to 9 months, to review the existing County Development Plan and to prepare a new County Development Plan. The reason for the initiation of this process was due to the disruption resulting from restrictions introduced as a result of the Covid-19 pandemic on the plan preparation process for the making of a new Leitrim County Development Plan.

A necessary consequence of initiating the process to extend the period to review the existing County Development Plan and to prepare a new County Development Plan is to first extend the duration of the existing Leitrim County Development Plan 2015-2021, as varied. In order to be satisfied that the extension of duration of the Leitrim County Development Plan 2015-2021 is not likely to have a significant effect on the environment and/or on a European Site, a screening assessment is required, for both Strategic Environmental Assessment and Appropriate Assessment, to examine the impact of the proposed extension of duration of the existing County Development Plan with regard to the effects on the environment and on European Sites. The screening process for both Strategic Environmental Assessment and Appropriate Assessment have been undertaken and associated Screening Reports prepared for each.

A report outlining of the proposed Extension of Duration of the existing County Development Plan, the Screening Report for Appropriate Assessment and the Strategic Environmental Assessment Screening Report and determinations made for each assessment were made available for public viewing as part of the public consultation process in accordance with section 11D(3)(b) and 11D(4) which commenced on Wednesday 27th April 2022. A public notice was placed in the local newspaper (Leitrim Observer) which signified the start of a four week public consultation period up to and including Wednesday 25th May 2022. The public notice was also advertised through social media platforms (Twitter and Facebook) and on the Council website. A total of 4 no. submissions were received during that period, 3 no. of which were received from statutory bodies.

1.1 Purpose of the Chief Executive's Report

This Chief Executive's Report forms part of the statutory procedure to extend the duration of the existing Leitrim County Development Plan 2015-2021 (as varied) to provide for an additional period for the

preparation of the new Leitrim County Development Plan, which will cover the period 2023-2029. Its purpose is to report on the outcome of the statutory consultation process (as prescribed under Section 11D of the Planning and Development Act 2000, as amended).

In accordance with the legislation, this report lists and summarises the main issues raised in the submissions received from the public consultation process and includes my response to the issues/observations made that will assist the Elected Members in making their decision. This report is issued to Elected Members of Leitrim County Council for their consideration.

Section 1 of the report provides an introduction and details the legislative background for the process of extending the duration of the existing Leitrim County Development Plan 2015-2021 (as varied) as well as outlining the role of the Elected Members in the next stage of the process.

Section 2 outlines the public consultation exercise that was undertaken for the proposed extension of duration of the Leitrim County Development Plan 2015-2021 (as varied).

Section 3 provides a summary of submissions made during the public consultation and the Chief Executive's Response to same.

Finally, **Section 4** provides the recommendation of the Chief Executive to the Elected Members having concluded the public consultation process.

1.2 Legislative Background for the Chief Executive's Report

The purpose of this section of the report is to set out the legislative requirements governing the current process to extend the duration of the Leitrim County Development Plan 2015-2021 (as varied) to provide for an additional period for the preparation of the new Leitrim County Development Plan. In addition, the requirements for Strategic Environmental Assessment and Appropriate Assessment for the process are described.

Section 11(D)(5)(c) of the Planning and Development Act, 2000, as amended, sets out the requirements in relation to the preparation of a Chief Executive's Report. Under this section of the Act, the Chief Executive is required to prepare a report on the submissions and observations received during the public consultation period.

The Chief Executive's Report shall:

- i. list the persons or bodies who made submissions or observations under this section
- ii. provide a summary of the issues raised in the submissions and observations made in relation to the proposal to extend the duration of the existing development plan in accordance with this section, and
- iii. give the response of the Chief Executive to the issues raised.

In accordance with the Act, the Chief Executive's Report must then be submitted to the Members of the Planning Authority, for their consideration. Section 11(D)(6) of the Planning and Development Act, 2000,

as amended, states that in considering whether to extend the duration of the existing Development Plan, the members of a Planning Authority shall be restricted to considering:

- a. the reasons referred to in subsection (1) or (2) of section 9A for considering that a further period may be necessary to complete the Development Plan review and to prepare and make a new Development Plan (disruption to plan making process caused by Covid-19 restrictions), and
- b. whether the effect of the proposed extension of the duration of the existing Development Plan, when considered alone or, as appropriate, in combination with any previous extension of that plan, is likely to have:
 - (i) significant effects on the environment or a significant effect on a European site, or both, or
 - (ii) adverse effects on the integrity of a European site.

Following consideration of the proposed extension of duration of the existing Leitrim County Development Plan 2015-2021 (as varied) and the Chief Executive's Report, the Elected Members may decide, by a vote in favour of the resolution by a simple majority of the members of the Planning Authority present at the ordinary meeting of the Council to extend the duration of the existing County Development Plan up 31st March 2023.

1.3 Environmental Considerations

Section 11(D)(2) of the Planning and Development Act, 2000, as amended, requires that before making a decision to extend the duration of the existing Development Plan, the members of a Local Authority shall be satisfied that:

- a) the effect of the proposed extension of the duration of the existing Development Plan for the area, when considered alone or, as appropriate, in combination with any previous extension of that plan, is not likely to have significant effects on the environment or to have a significant effect on a European site, or both, or
- b) a Strategic Environmental Assessment or an Appropriate Assessment or both such assessments, as necessary, has or have been carried out in respect of the effect of the proposed extension of the duration of the existing Development Plan for the area, when considered alone or, as appropriate, in combination with any previous extension of that plan.

In considering an extension of duration to the existing Leitrim County Development Plan 2015-2021 (as varied) it was necessary to undertake a screening process for both Strategic Environmental Assessment and Appropriate Assessment to determine likely significant effects on the environment as outlined above.

1.3.1 Strategic Environmental Assessment Screening Report

In compliance with Section 11D(2) of the Planning and Development Act 2000, as amended, the Planning Authority prepared a Strategic Environmental Assessment (SEA) Screening Report to consider the extension of duration of the existing Leitrim County Development Plan 2015-2021 (as varied), in accordance with the Strategic Environmental Assessment Directive (2001/42/EC) and pursuant to Article 13B of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No.436 of 2004), as amended.

In accordance with Article 9(5) of European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004), as amended, this included the carrying out of consultation for a period of 4 weeks between 4th March 2022 and 1st April 2022 with the following Prescribed Environmental Authorities:

- i) the Environmental Protection Agency (EPA)
- ii) the Minister for Housing, Local Government and Heritage
- iii) the Minister for Tourism, Culture, Arts, Gaeltacht, Sports and Media
- iv) the Minister for Agriculture, Food and the Marine
- v) the Minister for Environment, Climate and Communications

Consultation was also carried out with adjoining Local Authorities:

- i) Cavan County Council
- ii) Donegal County Council
- iii) Fermanagh and Omagh District Council
- iv) Longford County Council
- v) Roscommon County Council
- vi) Sligo County Council

The Strategic Environmental Assessment Screening Report concluded that extending the duration of the existing Leitrim County Development Plan 2015-2021 (as varied) in accordance with the Planning and Development Act 2000, as amended will not result in significant adverse environmental effects and therefore, SEA was not required.

1.3.2 Screening for Appropriate Assessment

In compliance with Section 11D(2) of the Planning and Development Act 2000, as amended, screening for Appropriate Assessment has been carried out in considering the extension of duration of the existing Leitrim County Development Plan 2015-2021 (as varied), in accordance with the requirements of Article 6 (3) of the Habitats Directive (92/43/EEC) and Section 177U of the Planning and Development Act 2000, as amended.

In accordance with Section 177U of the Planning Act, it has been determined by Leitrim County Council as the Competent Authority that Appropriate Assessment was not required.

2 Consultation Process

The Public Consultation process for the proposed extension of duration of the existing Leitrim County Development Plan 2015-2021 (as varied) took place from Wednesday 27th April 2022 to 4.30 p.m. on Wednesday 25th May 2022 (both dates inclusive).

Formal notice (as prescribed under Section 11D(1)(4) of the Planning and Development Act 2000, as amended) of the intention to extend the duration of the existing Leitrim County Development Plan 2015-2021 (as varied), in order to provide a further period of time to complete the review of the Leitrim County Development Plan 2015-2021 (as varied) and to prepare and make a new Leitrim County Development Plan was placed in the Leitrim Observer on the 27th of April 2022. The public notice was also advertised on social media platforms (Twitter and Facebook).

Notification was issued to the Minister, the Office of the Planning Regulator, the Board, the Northern and Western Regional Assembly, Environmental Authorities, Statutory/Prescribed Bodies and organisations and service providers prescribed under Section 11D(3)(a) of the Planning and Development Act 2000, as amended.

Copies of the documentation relating to the extension of duration, and outlining how to make a submission, were placed on public display in the Council offices at Áras An Chontae, Carrick on Shannon, at the Ballinamore and Manorhamilton libraries and was also available on the Leitrim County Council website.

3 Summary of Submissions Made During the Public Consultation Phase and the Chief Executive's Response.

Submission No. 1 Mr. Gerry Creamer
Date Received - 27/04/2022
Summary of Submission
Land that is de-zoned from residential, to be kept as residential reserve in case some of the preferred sites are not developed.
Response of Chief Executive
The same submission has been received with respect to the draft County Development Plan 2023-2029 and will be considered in that context. The content of the submission is not relevant to extending the duration of the existing County Development Plan 2015-2021.
Submission No. 2 Transport Infrastructure Ireland
Date Received - 15/05/2022
Summary of Submission
The submission merely advises that Transport Infrastructure Ireland has no observations to make on this proposal.
Response of Chief Executive
The submission received is noted.
Submission No. 3 Office of the Planning Regulator
Date Received - 25/05/2022
Summary of Submission
The submission provides a detailed summary of the legal provisions which have been followed by Leitrim County Council in proposing to extend the duration of the existing County Development Plan 2015-2021 and the basis for their consideration of the proposal. The documents which were placed on

public display are referenced. The submission concludes by reminding Leitrim County Council that whilst it is a matter for our Authority to ensure compliance with the procedural requirements in extending the duration of a development plan provided under Section 11D of the Act, that the Office notes the information provided for this stage of public consultation and supports the proposal to extend the duration of the Leitrim County Development Plan 2015-2021.

Response of Chief Executive

The submission received is noted. The Planning Authority is satisfied that it has complied with the legislative requirements for this process in all regards to date.

Submission No. 4 Northern & Western Regional Assembly

Date Received - 25/05/2022

Summary of Submission

The Assembly is satisfied that the proposed extension of time will enable Leitrim County Council to complete the process of preparing a new County Development Plan for the administrative area of Co. Leitrim. The Assembly has no objection to the proposed extension of duration as proposed.

Response of Chief Executive

The submission received is noted.

4 Recommendation

Having undertaken the required public consultation process regarding the proposed extension of duration of the existing County Development Plan 2015-2021, it is not considered that any submission received raises any objection to the proposal or raises any issues therein which requires further consideration by the Planning Authority.

The Planning Authority is satisfied that the effect of the proposed extension of the duration of the existing County Development Plan is not likely to have significant effects on the environment or to have a significant effect on a European site.

I therefore recommend to the Elected Members in accordance with Section 11D(9) of the Planning and Development Act, 2000 (as amended) that this Council resolves to extend the duration of the existing Leitrim County Development Plan 2015-2021 (as varied) up to the 31st of March 2023.