



04 July 2024

**Ms. Siobhan Gillen,**  
**Administrative Officer,**  
Planning Section,  
Sligo County Council,  
City Hall,  
Quay Street,  
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To whom it concerns,

**Re: Proposed Amendments to the Draft Sligo County Development Plan 2024-2030**

The Heritage Council was established in 1995 as a statutory body under the Heritage Act 1995 with a Council (the Board of the body) appointed by the Minister. The Heritage Council is a prescribed body under the provisions of the Planning and Development Acts 2000-2010 and S.I. No. 600/2001 of the Planning and Development Regulations, section 28 inter alia, in accordance with its functions under Section 6 of the Heritage Act, 1995.

We seek to provide submissions on forward planning, development control and strategic infrastructure developments as they relate to Ireland's heritage, namely built, cultural and natural heritage. We welcome the opportunity to comment on the Proposed Amendments to the Draft County Sligo Development Plan 2024-2030. Our comments deal with both built/ cultural heritage and natural heritage, as the matters appear in the proposed amendments. Ireland's national heritage is defined in the Heritage Act, 1995 as including: 'monuments, archaeological objects, heritage objects, architectural heritage, flora, fauna, wildlife habitats, landscapes, seascapes, wrecks, geology, heritage gardens, and parks and inland waterways'.

*National and Local Policy Context*

It is important to state from the outset that the **National Planning Framework – Project Ireland 2040**, identifies "*Enhanced Amenities and Heritage*" as one of our national strategic outcomes. Within this, the NPF correctly notes that built, cultural and natural heritage has intrinsic value in defining the character of urban and rural areas, adding to their attractiveness and sense of place. National policy objectives 16, 17 and 52 in the NPF give further support to this ambition and there is a need to reflect this in LAPs.

**Development Plans – Guidelines for Local Planning Authorities** were prepared for county and city councils in June 2022. Within these guidelines, there are detailed requirements for local forward planning objectives. Features of special architectural, historical, or natural value are our heritage assets, and mandatory objectives under the themes of 'heritage and landscape' have been identified throughout these guidelines.

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There is an obligation on local authorities to ensure the inclusion of such objectives in their statutory plans.

The 4<sup>th</sup> edition of Ireland's **National Biodiversity Action Plan (NBAP) 2023 – 2030** was published in January 2024. The NBAP states that "local authorities play a key role in biodiversity conservation through the planning system". There are several targets identified under Outcome 2A (*The protection of existing designated areas and protected species is strengthened and conservation and restoration within the existing protected area network are enhanced, regarding designated areas and protected species*) that are relevant for local authorities in their plan making functions. However, of key importance is Outcome 3C (*Planning and development will facilitate and secure biodiversity's contributions to People*). Action Numbers 3C2 and 3C3 are especially important, whereby the objectives of the NBAP are to be aligned and integrated within the statutory land use plans. In addition, actions 1B9, 1C5 should also be key considerations for all plans.

**Heritage Ireland 2030** was published in February 2022 and details several action points relevant for local authorities and these should be included in local area plans. Most importantly are Action 22 - *Introduce policies on supports for urban biodiversity and tree planting*; Action 26 - *Support nature-based solutions for land-use management*; and Action 37 - *Integrate heritage considerations into urban and rural regeneration to ensure that built and natural heritage objectives underpin the planning and development process and inform the 'Town Centres First' policy approach*.

The **Guidelines for Planning Authorities on Architectural Heritage Protection** were developed in 2004 and give expression to the provisions of the Planning and Development Act 2000, with regards to built heritage. Chapter 2 and 3 give detailed guidance on the role of statutory county level plans with regards to the Record of Protected Structures and Architectural Conservation Areas. The Office of the Planning Regulator has also provided guidance on **Archaeology in the Planning Process** through **Planning Leaflet 13**.

#### *Specific Comments on Relevant Proposed Amendments*

Please note that we have highlighted each proposed amendment reference and text where necessary. In cases where the text was overly long, for the sake of expediency, only the proposed amendment reference is noted.

### CHAPTER 3 – CORE STRATEGY STATEMENT

#### **Proposed Amendment Reference: PA-8**

Section 3.2.6 Residential density

**Comment:** The Heritage Council welcome the adoption of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 into the

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CDP for Sligo. These identify key standards for the application of density and development management standards for varying settlement sizes.

However, there is concern, specifically regarding the density range for small to medium-sized towns, and for the outer edges of Sligo town. We also question what evidence base was used for determining the appropriate residential density ranges in each settlement size.

Often the historic linear Irish townscape of terraced houses has a relatively high density-high coverage efficient use of land typology that accommodates family homes, and more modern developments can replicate this built form. As an example, a row of newly built properties on Lower Main Street in Collooney are approximately 55 dwellings per hectare, while the more linear historic terraced houses on the Main Street are approximately 75 dwellings per hectare. More recent terraced house developments in Strandhill on Top Road are approximately 70 dwellings per hectare.

In general, linear Irish townhouse/terraced developments are of an efficient density, and more modern terraces in towns in Sligo have also achieved relatively high density that responded positively to this historic context. Therefore, there is concern that having a maximum 40 dwellings per hectare in such settlements does not respond to the existing pattern of development and would provide a standard that seeks to establish, in some cases, a lower density than the prevailing character of these towns. Furthermore, this may significantly compromise brownfield development in such towns, which is needed to achieve compact growth, leading to a leapfrogging to more edge of settlement sites where this density standard is more easily achieved. The Heritage Council strongly recommends that while a minimum density standard is good, that any maximum standards are fully substantiated and do not compromise compact growth and brownfield development by having a rigid target. If a range is required, then suitable departures from this range in the case of core sites in settlement centres are needed and should be reflected in the policy.

#### **Proposed Amendment Reference: PA-20**

##### 6.5 Housing land provision

Amend this policy as per the below (in bold).

*“Prepare a programme for the acquisition of suitable sites, **including inner core sites/vacant properties (both designated and non-designated)** in small towns and villages under the Ready to Build Scheme and commence its implementation within one year of the adoption of the Development Plan”*

**Comment:** The Heritage Council welcome the new strategic housing policy SO-HOU-3. Derelict and vacant sites in central locations are a major impediment to sustainable development of our villages, towns and cities, and there is a need to ensure the public sector lead the way in tackling vacancy in Irish towns by providing new uses. Housing

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departments can work with planning departments to ensure that historic buildings and non-designated vacant properties/sites are pursued for new uses.

## CHAPTER 23 – LANDSCAPE CHARACTER

### **Proposed Amendment Reference: PA-69 and PA-70**

**Comment:** We commend and strongly support these new policies. The landscape character assessments will need to have a detailed methodology in due course. Given that Sligo is a coastal county, and that plans for offshore renewable energy are now in train in Ireland, we recommend that consideration be given to include seascapes in the character assessment. While regarding PA-70 please liaise with the NPWS to see if any plans for a national park can be progressed with the forthcoming national restoration plan in mind i.e. the potential for such a national park to identify scope for habitat improvements, and therefore contribute to the national target for bringing habitats to good/favourable condition, in line with the recent EU Nature Restoration Law.

## CHAPTER 24 – NATURAL HERITAGE

### **Proposed Amendment Reference: PA-80**

Section 4.2 Additional biodiversity Policy 'P-BD-7

**Comment:** We welcome the addition, however there is need to insert retention of existing habitats, before discussing enhancement and Biodiversity Net Gain (BNG) considerations. While BNG is a good endeavour, there is a need to protect existing ecological features when new development is proposed, in the first instance. There is often needless removal of mature trees and hedgerows, of considerable character and ecological value, as part of site works to 'tidy' the site before construction commences. While opportunity sites within the town or any phased greenfield release should have stringent design standards for retention of natural features. It is also important to note that some of the older buildings may have bat roost potential. This should be factored into BNG calculations i.e. the baseline ecological condition. It is more important to retain existing quality ecological features rather than provide compensation measures through BNG. Although we do note the general protection of existing features is noted in policy P-BD-4, which is welcome.

### **Proposed Amendment reference(s) P-BD-4**

Biodiversity policy P-BD-4

**Comment:** We strongly support and commend the insertion of the additional text, for the reasons described above. The retention of natural features should be the priority with compensation only used as a last resort mitigation. These features should be clearly identified in opportunity sites for the relevant town plans and local area plans.

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**Proposed Amendment Reference: PA-86**

Nature conservation outside of designated sites P-NCODS-4

**Comment:** This is an important clarification to ensure there is no ambiguity. The Development Plan Guidelines rightly note that the majority of the country “lies outside of the network of protected sites, and that there are many other sites which are of local importance for flora and fauna”. Therefore, there is an important obligation for local authorities to address biodiversity on all sites, where required, not just those that benefit from European and/or national protection status. In addition, it is important that such ecological assessments be prepared in such a way that they can be used for the BNG policies in terms of calculations etc.

CHAPTER 33 – DEVELOPMENT MANAGEMENT STANDARDS

**Proposed Amendment PA-171**

Section 33.3.5 Distance between dwellings

Amend this policy as per the below (in bold).

*“In general, there should be a separation of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces. **Lower separation distances will also be considered in order to bring new uses to protected structures and other non-designated historic assets and to maximise the potential of inner core brownfield sites”***

**Comment:** Given the national issue of dereliction and vacancy in settlements; there is a need to ensure that the stringent application of DM standards do not compromise more important strategic planning ambitions. Protected structures and other non-designated heritage assets should have DM standards applied flexibly to ensure their long-term use or retention. While this is noted for this proposed amendment, all the policies in this chapter e.g. garden sizes etc, need to be reviewed and drafted with this in mind.

**Proposed Amendment PA-172**

33.3.7 Public open space in multi-unit housing schemes

Amend the following bullet point (the first listed under Quantitative Standards):

*“The minimum requirement should be justified considering existing public open space provision in the area and broader nature conservation and environmental considerations, **and Biodiversity Net Gain calculations/requirements”***

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**Comment:** If BNG is a new policy there is a need to note it in this policy. On a site design basis, public open space and newly created biodiversity assets will compete for space in new development design. BNG calculations need to be based on ecological assets only e.g. native hedgerows, ponds or stands of trees and be managed as such in maintenance regimes. Manicured open space and play parks have negligible biodiversity potential. Accordingly, this amendment needs to be made to ensure that all the policies of the plan are joined up.

#### **Proposed Amendment PA-182**

##### 33.9.6 Cycle parking facilities

**Comment:** We strongly support this policy, which has been well crafted and makes clear distinctions based on the planning use classes. Review the [Watford Cycle Parking Supplementary Planning Guidance](#) to source any other helpful information. The Heritage Council support sustainable transport policies, as they reduce emissions from the transport sector. This is imperative to provide alternatives to the car, reducing GHG emissions, thus reducing climate change impacts on our natural heritage, habitats, and ecosystems.

#### **Proposed Amendment: PA-188**

##### Section 33.2.12 Site landscaping and retention of biodiversity

**Comment:** We support and commend this policy as worded. It reflects some of the previous points we made in this submission. There is a need to ensure that this policy, the public space requirements in the DM standards, and the BNG policy are reviewed collectively to ensure that they are complimentary and in sync with one another.

#### **Proposed Amendment; PA-189 and PA-190**

##### Section 33.2.12 Site landscaping and retention of biodiversity

**Comment:** We commend Sligo County Council and their forward thinking in terms of the inclusion of this text. We refer to our previous comments on biodiversity and BNG.

#### *Conclusion*

I trust these comments on the proposed amendments will be considered carefully as the Council progresses the Draft County Sligo Development Plan 2024-2030.

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