

**COMHAIRLE CHONTAE NA GAILLIMHE**  
**MINUTES OF DEFERRED REMOTE COUNCIL MEETING OF**  
**GALWAY COUNTY COUNCIL**

**Wednesday 5<sup>th</sup> January 2022 at 11.00 a.m. via Microsoft Teams**

**CATHAOIRLEACH:** Cllr. Peter Keaveney  
Cathaoirleach of the County of Galway

**Baill:** Comh./Cllr. T Broderick, J. Byrne, I. Canning, L. Carroll, J. Charity, D. Collins, D. Connolly, M. Connolly, G. Cronnelly, D. Ó Cualáin, J. Cuddy, S. Curley, T. Ó Curraoin, A. Dolan, G. Donohue, G. Finnerty; D. Geraghty, S. Herterich Quinn, M. Hoade, C. Keaveney, D. Kelly, D. Killilea, G. King, P. Mac an Iomaire, M. Maher, E. Mannion, J. McClearn, K. McHugh Farag, A. McKinstry, P.J. Murphy, Dr. E. Francis Parsons, A. Reddington, P. Roche, J. Sheridan, N. Thomas, S. Walsh and T. Welby.

**Apologies:** Comh./Cllr. M. Kinane

**Oifigh:** Mr. J. Cullen, Chief Executive, Ms. E. Ruane, Director of Services, Mr. L. Hanrahan, Director of Services, Mr. M. Owens, Director of Services, Ms. I. Martyn, Administrative Officer, Ms. V. Loughnane, Senior Planner, Mr. B. Dunne, A/Senior Executive Planner, Mr. B. Corcoran, Executive Planner, Ms. A O Moore, Asst. Planner, Ms. A. Power, Senior Staff Officer, Ms. U Ní Eidhín, Oifigeach Gaeilge

Cllr. P. Keaveney welcomed everyone back after Christmas break and wished all a Happy New Year. He advised that the Group Leaders met with Executive yesterday and Mr. Owens would be outlining what had been agreed at that meeting. He advised that they had a lot of work to do in the upcoming meetings and emphasized the importance of being as businesslike as possible. He advised that the Forward Planning Team were available to advise on any clarification Members may require. He advised that the meeting tomorrow would commence at 11.00 am until 2.00 p.m., would resume at 3.00 p.m. until late.

Mr. Owens advised that the Group Leaders met with Chief Executive and Planning Team to agree a pathway forward in terms of completing this process. He stated that they had effectively completed the OPR submission and the final stage which

required agreement was to finalise the Core Strategy Table. He advised that if the Members had any motions that relate to R1 lands that would result in change to Core Strategy Table, these should be submitted and discussed at this point. He advised that in order to afford Members the opportunity to consider any R1 lands that would result in change to Core Strategy Table, Forward Planning has considered those submissions, will give an overview of those submissions at which point the Members will consider same. He stated that it was proposed to consider submissions in Volume 2 that may impact on R1 lands and also the OPW submission that may impact on R1 lands. He stated that by close of business tomorrow evening it was hoped to finalise and agree the Core Strategy Table. He stated that once the Core Strategy was agreed, it would not be possible to revisit it. He stated that it would then be put back out to public consultation again. He stated that the proposal at this point was to proceed with Volume 2 of CE Report and that they have set out a road map that will allow for the completion of the Core Strategy Table by tomorrow evening. He stated that it was proposed to deal with the other submissions on Friday. He stated that it would require getting through the remaining submissions with a degree of efficiency to complete the process.

Mr. Cullen advised that they had very useful engagement with Group Leaders at Meeting and there was a real appreciation of being very efficient with remaining time and it was really important that Members understood that and advised that there was still a good deal of heavy lifting to do in order in terms of getting through this process. He advised of the requirement of reading into the record in terms of OPR Report. He stressed the importance of getting into decision making mode and advised that there wasn't any room left for repetition at this point.

Mr. Owens reminded the Elected Members of the provisions of Part 15 of the Local Government Act and the Code of Conduct for Councillors that provides the Ethical Framework for local government including provision for the disclosure of pecuniary or other beneficial interests or conflicts of interest. It was again noted that Councillors must disclose at a meeting of the local authority any pecuniary or other beneficial interest or conflict of interest (of which they have actual knowledge) they or a connected person have in, or material to, any matter with which the local authority is concerned in the discharge of its functions, and which comes before the meeting. The Councillor must withdraw from the meeting after their disclosure and must not vote or take part in any discussion or consideration of the matter or seek to in any other aspect influence the decision making of the Council. Mr. Owens referred to the paragraph 7 of the Protocol for Remote Meetings of Council for the guidance on the means of making a declaration at a remote meeting.

**To consider the Chief Executive's Report on the Submissions received to the Draft Galway County Development Plan 2022-2028 under Part 11, Section 12(5) and (6) of the Planning and Development Act 2000 (as amended) 3914**

Ms. Loughnane proposed that they go through the MASP areas in Volume 2. She advised that the Core Strategy Table was not balancing as a result of actions taken

at previous meetings. She advised that they would be going through the Baile Clair MASP Area Submissions firstly.

## **GLW C10-4 – KING CONSTRUCTION CLAREGALWAY**

**Pg 599**

Ms. Loughnane gave an overview of the issues raised in these submissions and read CE Response and Recommendation.

She advised this submission has highlighted that lands (19.5 acres) are zoned Residential Phase 2 and Recreation and Amenity in the Draft Galway County Development Plan 2022-2028. It has been requested that circa 8 acres of these lands would be zoned Residential Phase 1. A justification for the said re-zoning has been outlined.

### **Chief Executive's Response:**

Noted. As part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands have connectivity issues and poor access and therefore to zone them Residential Phase 1 would not be appropriate in this instance.

### **Chief Executive's Recommendation:**

No Change.

***Submission was read in conjunction with GLW C10-798***

## **GLW C10-798 – KING CONSTRUCTION CLAREGALWAY**

Ms. Loughnane gave an overview of the issues raised in these submissions and read CE Response and Recommendation.

She advised this submission relates to the same parcel of land as per submission reference number **GLW-C10-4**. The submission has requested the change from Residential Phase 2 to Residential Phase 1. The submission has provided a comprehensive assessment of the subject lands including site location and context, planning history, planning policy context and also rationale for the purpose of the submission and justification for rezoning to Residential Phase 1.

### **Chief Executive's Response:**

Noted. As part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands to the east of Baile Chláir village zoned “Residential Phase 2” is acceptable in this instance.

**Chief Executive's Recommendation:**

No Change.

CE Recommendation was not accepted in both of those instances. Cllr. Dolan's Motion in relation to these lands was passed at meeting held on 20/12/2021.

Ms. Loughnane advised that additional zoning of these lands would mean that the number in the Core Strategy Table would be incorrect as a result.

Cllr. Carroll queried if they transferred 1.8 ha from Oranhill, which was dezoned at previous meeting, would this help to correct Core Strategy Table. Ms. Loughnane advised that it was possible to transfer within the respective tiers but advised that they also had to take the Housing Allocation Columns into account so as to try to balance and ensure figures were correct also.

Cllr. Carroll queried whether the transfer of lands from Oranhill and the reallocation of R1 lands in Claregalway (due to the downzoning of lands at Carrowmoneash) would balance the Core Strategy Table. Again Ms. Loughnane advised that it wasn't simply a matter of transferring hectares of land and advised there was another motion to transfer the (Dezoned R1 lands in Oranhill) to lands on the Maree Road, Oranmore (Cllr. Kinane & Cllr Donohue).

***These submissions GLW C10 4 & GLW C10-798 were already agreed on under Cllr. Dolan's Motion which was passed at Meeting held on 20/12/2021.***

**GLW C10-51 – COLAISTE BHAILE CHLAIR**

**Pg 600**

Ms. Loughnane gave an overview of the issues raised in this submission and read CE Response.

She advised this submission has outlined some of the issues facing Coláiste Bhaile Chláir including enrolment policy, school transport and meeting the needs of the local community. The submission has highlighted that additional housing will place additional strain on school places and will impact on people being forced to seek schooling elsewhere and additional school transport being required. The school have advised that they will continue to expand and open their facilities to the entire community. The submission has identified lands that should be identified as a large park/green open space for school and community use, the development of a running track and a small internal pitch. It is also suggested that a possible new internal road layout could be explored to alleviate assist with traffic flow around the area until the Baile Chláir bypass/ring road is developed.

The submission has requested the following:

- The lands nearest the school continue to remain zoned "Community Facilities"
- Any lands zoned "Open Space/Recreation & Amenity" remain within that designation.

- The submission has made reference to Policy Objective BCSMP 3 and has requested that access points to identified locations should be for access to development of “community facilities and services”
- Approval of housing development in Baile Chláir needs to be considered having regard to the capacity of Coláiste Bhaile Chláir which has already reached and moved beyond its maximum capacity. School transport rules also need to be considered for the wider catchment area around Baile Chláir as we are already unable to offer places to families who move into the area.

**Chief Executive’s Response:**

The Planning Authority notes the content of the submission received. The population allocation for Baile Chláir is identified in ***Chapter 2 Core Strategy, Settlement Hierarchy and Housing Strategy***. It is considered prudent that Baile Chláir would grow in population as indicated as the settlement will play a considerable role in the Metropolitan area.

In response to the specific points raised:

- It is considered appropriate that the subject lands as identified remain “Community Facilities”.
- The Planning Authority considers that the lands as identified remain as Open Space/Recreation & Amenity.

The lands identified are zoned ‘Open Space/Recreation and Amenity’. **Policy Objective BCMSP 3 Community Facilities and Services**

- promotes the development of community facilities at the identified location.
- The Planning Authority consults with the Department of Education with regard to capacity issues and takes into account future schools’ requirements in the Development Plan process.

**Chief Executive’s Recommendation:**

No Change.

***The CE recommendation was proposed by Cllr. Maher, seconded by Cllr. Carroll and agreed by the Members.***

**GLW C10- 57 – JOSETTE FARRELL**

**Pg 601**

Ms. Loughnane gave an overview on the issues raised in this submission and read CE Response.

She advised this submission has highlighted the traffic issues within Baile Chláir. It has been suggested that a new internal road near the school area could be developed to assist with traffic until a bypass is secured. It has also been suggested that river walks along the River Clare be developed, provision of a playground and a library would all be welcome.

**Chief Executive’s Response:**

The Planning Authority notes the content of the submission with regard to the possibility of a new internal road near the school area until a bypass is secured. The Planning Authority can confirm that there is no temporary proposal in place for the provision of a new internal road. There is a Policy Objective **BCMSP 8 Baile Chláir Bypass** included in the settlement plan that supports the delivery of this road.

The provision of community facilities such as a library and a playground are supported under the land use zoning provisions for Baile Chláir. There is specific reference to the provision of a playground within Policy Objective **BCMSP 3 Community Facilities and Services**.

With respect to the suggested river walk way along the River Clare it is noted that the provision of greenways/blueways are supported within the **Draft**

**Galway County Development Plan 2022-2028.** There are Policy Objectives which support the provision of greenways/blueways within both **Chapter 6 Transport and Movement** as per **Policy Objective GBW 2 Future Development of Network of Greenways** and **Chapter 10 Natural Heritage, Biodiversity and Green/Blue Infrastructure** as per **Policy Objectives BGP 1 Strategic Greenways/Blueways, BGP 2 Development of Strategic Greenway Network and BGP 3 Greenways, Blueways, Peatways and Trails.**

**Chief Executive's Recommendation:**

No Change.

***The CE recommendation was proposed by Cllr. Cuddy, seconded by Cllr. Carroll and agreed by the Members.***

**GLW C10-233 – CLLR. J. CUDDY**

**Pg 602**

Ms. Loughnane gave an overview of the issues raised in this submission and read CE Response.

She advised the submission has made suggestions which relate to the following headings:

- Baile Chláir
- Rural Housing
- Urban Housing
- Transport and Movement
- Natural Heritage, Biodiversity and Green/Blue Infrastructure
- Development Management Standards

**Baile Chláir**

- The Baile Chláir relief road should be shown clearly in the County Development Plan.

- BCMSP 3 (c) which relates to community facilities for the purpose of a graveyard be deleted with these lands remaining agricultural. A justification for the said re-zoning has been outlined.
- Cycle lanes, safe walkways and cycle racks should be provided.
- An objective should be included for a greenway along the River from Galway City and continuing along the Clare River to Baile Chláir.
- A commitment should be included to provide a library for Baile Chláir.
- An objective should be included to engage the services of a town planner for the proper planning of the village.

### Rural Housing

- With regard to Restricted Regional Roads, it is suggested access points outside the 60km speed limit shall be restricted to members of immediate family to build their first home on family lands where no other family lands are available.
- People who have lived in an area for 15 years or have children attending the local and are active in community groups should be regarded as local.
- Members of farm families wishing to build their first home on family lands should be facilitated.
- Minimum site size for a rural house should be reduced from ½ acre to 1/3 of an acre.

### Urban Housing

- It should be a condition of planning that sufficient lands are allocated for open spaces, playgrounds, footpaths and street lighting.

### Transport and Movement

- An objective should be included for Galway County Council to engage with Bus Eireann or other public transport providers to provide local services.
- The runway at the Galway Airport Site should be maintained and that the long overdue masterplan for the site includes such a provision. The remainder of the site could be used for Park and Ride, small industry, film industry, Air Ambulance as well as a number of other identified uses. The use of the runway by the Galway Flying Club has also been highlighted. This runway so close to Galway City should be retained for both industrialists and tourists.
- Provision of bus shelters to the village of Baile Chláir would encourage people to use public transport. Suggested locations have been identified.

### **Chief Executive's Response:**

#### Baile Chláir

The Baile Chláir relief road is listed in table 6.1 in **Chapter 6 Transport and Movement** and as a policy objective in Baile Chláir settlement plan under **BCMSP 8 Baile Chláir Bypass**.

The Planning Authority have no objection to the relocation of the 'Community Facilities' zoning further to the south of the location as proposed.

The plan supports the provision of cycle lanes, walkways and provision of cycle infrastructure. There are numerous Policy Objectives within ***Chapter 6 Transport and Movement*** which support the aforementioned infrastructure. Policy Objectives **WC 1 Pedestrian and Cycling Infrastructure**, **WC 2 Bicycle Parking**, **WC 3 Sustainable Transport Movement**, **WC 4 Modern Network of Walking and Cycling Infrastructure** and **WC 5 Traffic Free Cycle Routes** all support the provision of the infrastructure as requested within this section of the submission. The settlement plan for Baile Chláir includes **Policy Objective BCMSP 6** and **BCMSP 7 (c)** which specifically refer to both cycling and walking.

With respect to the suggested greenway connecting Baile Chláir along the River Clare to Galway City it is noted that the provision of greenways/blueways are supported within both ***Chapter 6 Transport and Movement*** and ***Chapter 10 Natural Heritage, Biodiversity and Green/Blue Infrastructure***. There are specific policy objectives such as **GBW 1 Greenways**, **GBW 2 Future Development of Network of Greenways**, **BGP 1 Strategic Greenways/Blueways**, **BGP 2 Development of Strategic Greenway Network** and **BGP 3 Greenways, Bluways, Peatways and Trails** within the Draft Galway County Development Plan 2022-2028.

With respect to the provision of a library for Baile Chláir the Planning Authority consider the plan would support such a proposal under **Policy Objective BCMSP 3 Community Facilities and Services within the Baile Chláir settlement plan**.

The Planning Authority note the request for a policy objective for the engagement of a planner. It should be noted that the Planning Section of Galway County Council has a number of Planners who have prepared the Draft Galway County Development Plan 2022-2028 and associated documents and it is not considered necessary to include Policy Objective as requested.

#### Rural Housing

- Please see response to Office of the Planning Regulator

The minimum site size of ½ acre is in compliance with the EPA Standards and therefore to reduce this further would not be appropriate.

#### Urban Housing

- It is considered that the **DM Standard 2 Multiple Housing Schemes** Draft Galway County Development Plan 2022-2028 in ***Chapter 15 Development Management Standards*** is sufficient to providing guidance for Developers and Applicants

#### Transport and Movement

- In ***Chapter 6 Transport and Movement***, there is a **Policy Objective PT 2 Development of Public Transport Infrastructure** to support and liaise with transport providers.
- In ***Chapter 5 Economic Development, Enterprise and Retail Development*** section 5.7.3. references the importance of the former Galway Airport lands. **Policy Objective EL4 Former Galway Airport** supports a wide range of uses on these lands and it is envisaged that a further detailed analysis of these lands with all stakeholders including TII, NTA and Galway

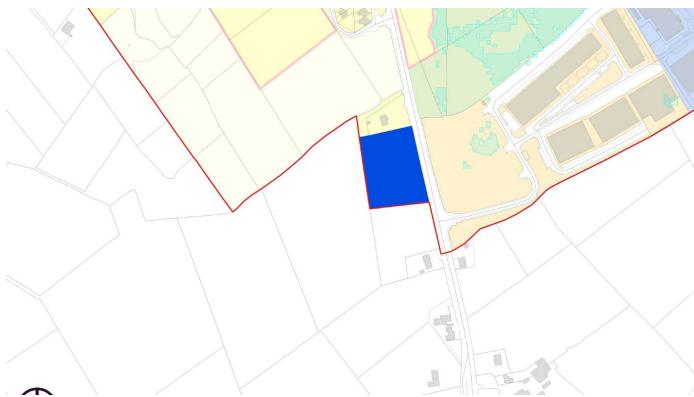
City Council and other relevant parties will take place as plans progress further.

- It is considered that **Policy Objective GCTPS 6 Road based Public Transport** is supportive of infrastructure such as bus stops etc.

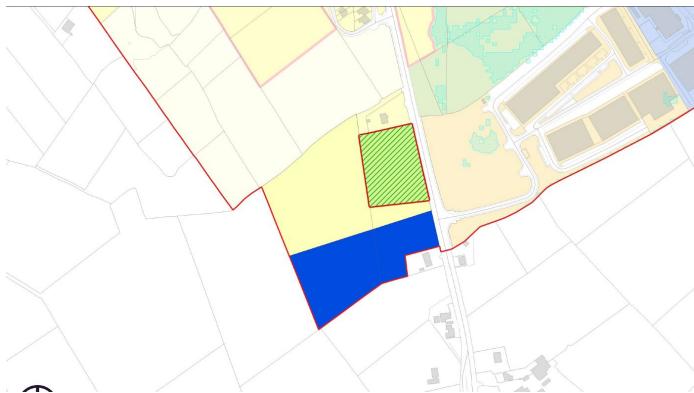
**Chief Executive's Recommendation:**

1. Rezone the Community Facilities lands as per map to Residential Infill
2. Zone additional lands Community Facilities with a specific policy objective BCMSP3 (c) and additional lands Residential Phase 2 as per map.

**FROM:**



**TO:**



Ms. Loughnane advised that some of the issues have already been dealt with at previous Meetings and Road Relief proposal would be dealt with under Chapter 6. In relation to Bus Shelters, she advised that there was an objective in Chapter 6 in relation to that.

Cllr. Cuddy queried the location of the community lands. Ms. Loughnane advised that the maps in question were in CE Report and had been moved out a little further but were still within speed limits of Claregalway. She advised that the lands were fronting the R381 and had good accessibility. Cllr. Cuddy queried if there were sufficient lands zoned community in this area. In reply, Ms. Loughnane advised that there wasn't anywhere as suitable for burial ground in terms of its location and connectivity. Referring to the community zoned lands straight across the road, Cllr.

Cuddy stated that there was no justification for putting a burial ground on these lands. He further advised that discussions were taking place regarding proposals for a new cemetery at a separate location in the Claregalway area. In response, Ms. Loughnane advised she was aware of this proposal and stated that there were access difficulties with the other site. She suggested that if the Members wished to remove the reference of burial ground from the objective, they could do so. Cllr. Cuddy agreed to this amendment.

***The CE recommendation was proposed by Cllr. Cuddy, seconded by Cllr. Collins and agreed by the Members.***

Mr. Cullen again reminded the Members of what had been agreed at Group Leaders Meeting yesterday in terms of getting through the workload. He stated that they had a very clear path on what had to be achieved. He stated that from this point forward they must only consider submissions on R1 lands that have implications for Core Strategy Table and anything else they would have to come back to at a later stage.

**It was agreed to take the next three motions together as this piece of land relates to same submissions - GLW C10-694; GLW C10-959; GLW C10-976**

#### **GLW C10-694 – SAOIRSE MORRIS**

**Pg 607**

Ms. Loughnane gave an overview of issues raised in submissions and read CE Response and Recommendation.

#### **Summary of Issues Raised in Submission**

She advised this submission has requested that BCMSP 3(c) within the Baile Chláir settlement plan be deleted as this land is not suitable for a burial ground.

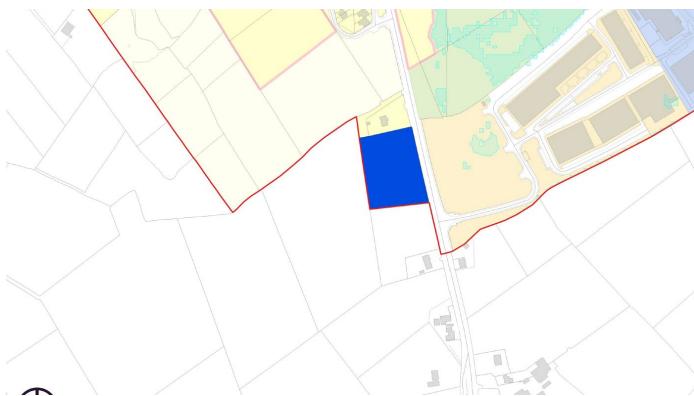
#### **Chief Executive's Response:**

Noted. The Planning Authority have no objection to the relocation of the 'Community Facilities' zoning further to the south of the location as proposed. It is recommended that the lands which were zoned 'Community Facilities' be changed to 'Residential Infill'.

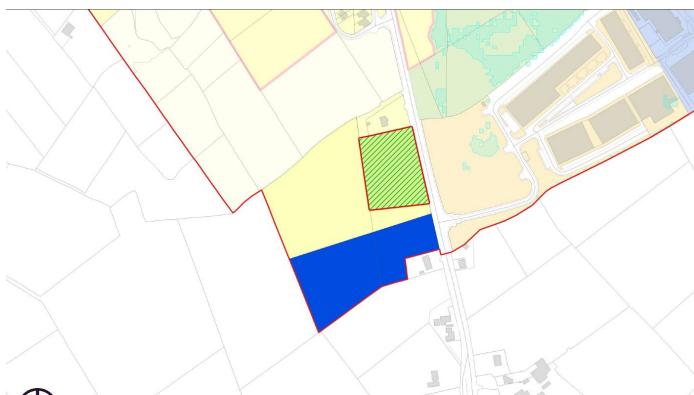
#### **Chief Executive's Recommendation:**

It is recommended that the Community Facilities zoning be relocated to the south of the lands subject to this submission. It is recommended that the lands be rezoned 'Residential Infill'.

**From**



**To**



## **GLW C10-959 – MARY MORRIS WALDRON**

**Pg 608**

This submission has indicated that a parcel of land is zoned Community Facilities in the MASP settlement of Baile Chláir. It has been requested that these lands be zoned to Residential Phase 1. A justification for the said re-zoning has been outlined.

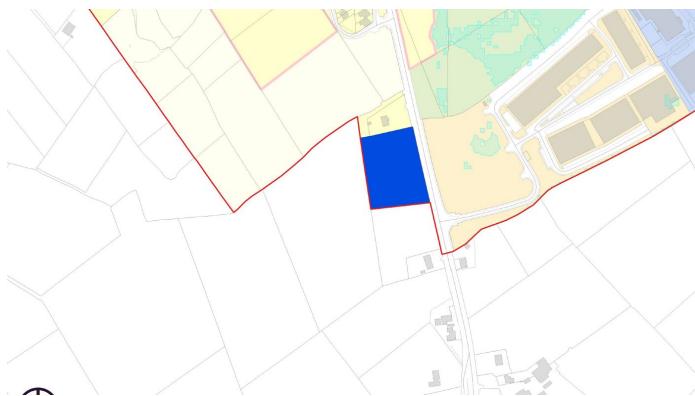
### **Chief Executive's Response:**

Noted. The Planning Authority have no objection to the relocation of the 'Community Facilities' zoning further to the south of the location as proposed. Having reviewed a number of submissions which relate to this site it is recommended that the lands which were zoned 'Community Facilities' be changed to 'Residential Infill'.

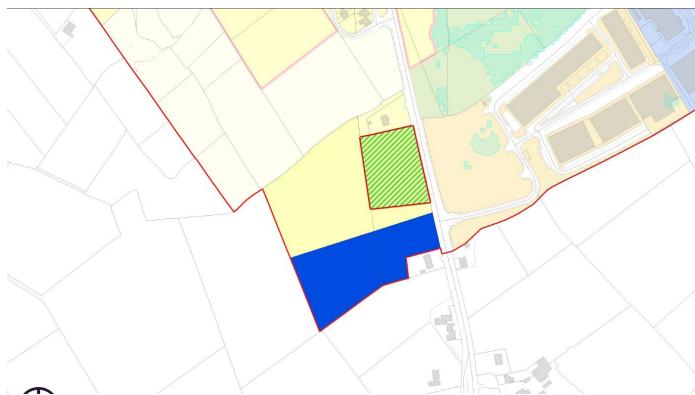
### **Chief Executive's Recommendation:**

It is recommended that the Community Facilities zoning be relocated to the south of the lands subject to this submission. It is recommended that the lands be rezoned 'Residential Infill'.

**FROM:**



**To**



### **GLW C10-976 – CATHERINE MORRIS**

She advised this submission has requested lands in Baile Chláir are rezoned from BCMSP (c) to residential purposes.

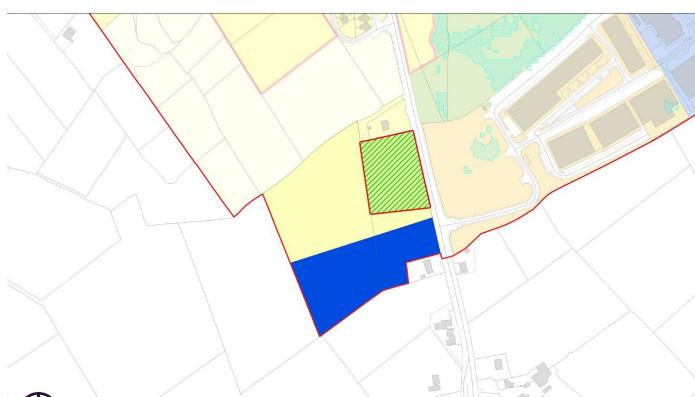
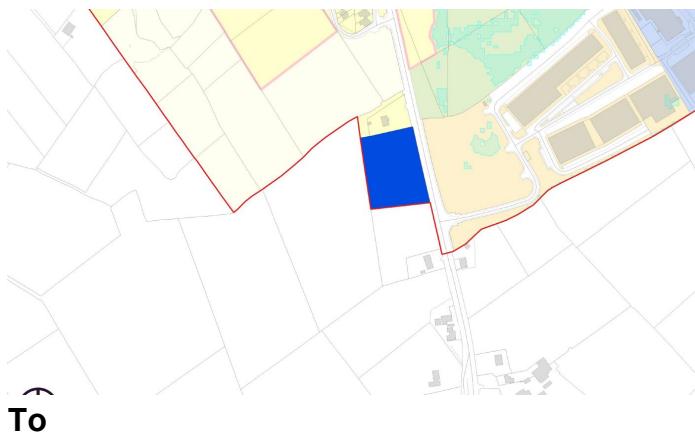
#### **Chief Executive's Response:**

Noted. The Planning Authority have no objection to the relocation of the 'Community Facilities' zoning further to the south of the location as proposed. Having reviewed a number of submissions which relate to this site it is recommended that the lands which were zoned 'Community Facilities' be changed to 'Residential Infill'.

#### **Chief Executive's Recommendation:**

It is recommended that the Community Facilities zoning be relocated to the south of the lands subject to this submission. It is recommended that the lands be rezoned 'Residential Infill'.

**From**



***The CE recommendation was proposed by Cllr. Maher, seconded by Cllr. Carroll and agreed by Members.***

## **GLW C10 460 – E & A GARRETT**

**Pg 611**

Ms. Loughnane gave an overview of issues raised in submission and read CE Response & Recommendation. She advised that they would have dealt with a portion of these lands already regarding OPR submission. She advised that lands subject to Part A below has already been agreed by the Members under the OPR submission and therefore the CE's Recommendation is now relating to lands subject to Part B.

A comprehensive submission was received in relation to the designation of lands in Baile Chláir, history of land allocated for Community Facilities and the investment undertaken into Flood Relief Schemes in Baile Chláir. The following is an overview of the submission:

**Part A** has requested that a parcel of land (1.399 hectares) which has been zoned Community Facilities in the Draft Galway County Development Plan 2022-2028 be changed to Residential zoning. It is suggested that these lands do not form part of the flood zone area as detailed on the historic OPW maps. The submission has also highlighted the lands which have been provided for Community Facilities in the past including lands for a playground area or playing pitches at Claregalway National

School. A justification for the proposed rezoning of these lands have been provided including access and utilities such as sewerage already serving the lands.

**Part B** has requested that a parcel of land (1.124 hectares) which has been zoned Open Space/Recreation & Amenity in the Draft Galway County Development Plan 2022-2028 be changed to Residential zoning. The submission has stated that area C on the submitted map is not part of the flood zone area on OPW maps. The submission has also stated that they are of the opinion that these lands identified as A, B and B1 on the submitted map do not flood. Commentary has also been provided on relation to the Claregalway Flood Relief Scheme in support of the requested change in zoning. Notwithstanding the opinion that these lands do not flood the submission has highlighted that the OPW flood maps have not been updated to reflect the most up to date information following the completion of the Flood Relief Scheme. In the absence of the most up to date OPW flood maps being available to inform the Draft Galway County Development Plan the submission has requested that the Planning Authority extend the duration of the existing Plan as per the recent legislation which facilitates the pending the preparation and making of new development plans which may facilitate the OPW maps to be reviewed prior to passing of the CDP 2022-2028.

In conclusion to Part B it is highlighted that Area C of their lands are located outside of flood zones and should be changed to Residential zoning and additional time should be provided for the OPW flood maps to be updated which would demonstrate that their additional lands A, B and B1 would also be suitable from a flooding perspective and also be changed to Residential zoning.

#### **Chief Executive's Response:**

Noted.

#### **Part A**

The Planning Authority note the content of the submission in relation to the parcel of lands which are presently zoned for 'Community Facilities' in the Draft Galway County Development Plan 2022-2028. However having regard to the location of these lands adjacent to the existing school it is considered prudent for the Planning Authority to seek to retain these lands for 'Community Facilities' that would facilitate potential future development of the local school.

#### **Part B**

The Planning Authority have carried out a Stage 2 SFRA of the settlement plan including the lands as identified in Part B of this submission. The subject lands are identified by multiple flood risk indicators as being at risk of flooding. These are as follows:

- CFRAMS Flood Hazard and Risk Flood Extent Mapping (this is OPW's most up-to-date and available flood risk mapping for the area and was published in 2016)
- Estimated Flood Extent (from Office of Public Works/Ryan Hanley detailed study of the Clare River Flood Extent 2009-2010)
- Fluvial (Clare River) 1 in 100 (or 1% AEP) PFRA mapping
- Pluvial 1 in 100 and 1 in 1000 (1% and 0.1% AEP) PFRA mapping

In addition, much of the subject lands are identified by the GSI as having previously experienced *groundwater* flooding (the flood relief scheme does not seek to reduce

flooding from groundwater). This is within a wider region that is known for groundwater flooding and underlain by limestone geology.

The subject lands are a mixture of:

- **Flood Zone A** - the highest level of flood risk and, in the case of flood risk from rivers, is delineated as per a 100-year flood event or 1% Annual Exceedance Probability;
- **Flood Zone B** - a moderate level of flood risk and, in the case of flood risk from rivers, is delineated as per a 1,000-year flood event or 0.1% Annual Exceedance Probability; and
- **Flood Zone C** - the lowest level of flood risk

These Flood Risk Zones are based on the best, most up-to-date and available information and they are supported by in field studies.

Based on the requirements of the Guidelines and the most up to date available information from the OPW, zoning parts of the subject lands within either Flood Zones A or B for highly vulnerable uses such as *Residential* would not be in compliance with the Flood Risk Management Guidelines.

With respect to communications from the OPW, there is currently insufficient evidence available to justify any reductions to the extents of the flood zones and therefore changes to zoning on these lands as requested would be contrary to the Minister's FRM Guidelines.

While the Planning Authority acknowledge there is a small area of subject lands located within Flood Zone C due to its configuration and location in isolation it would not be appropriate to alter these lands to Residential Phase 1.

The commentary with respect to extending the existing plan to facilitate the possibility that the OPW will update their flood mapping is not considered feasible and cannot be considered as there is no provision to do so under the mechanisms identified within the submission.

Furthermore, as part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028.

Having regard to the above with regard to flooding and also the quantum of residential lands allocated within the settlement of Baile Chláir it is considered the subject lands as identified in Part A of this submission should remain as "Open Space/Recreation and Amenity" in this instance.

#### **Chief Executive's Recommendation:**

No Change.

***The CE recommendation was proposed by Cllr. Maher, seconded by Cllr. Cuddy and agreed by Members in relation to CE's Recommendation on lands subject to Part B.***

## GLW C10-576 – LAKEVIEW ESTATE

Pg 614

Mr. Dunne gave an overview of issues raised in submission and CE Response & Recommendation was read.

He advised this submission has requested that lands adjoining Lakeview Residential Estate which are zoned Residential Phase 1 in the Draft Galway County Development Plan 2022-2028 be removed as the site is subject to flooding.

### **Chief Executive's Response:**

Noted. Flood Zones are based on present day fluvial risk i.e. flood risk from the river and are based on the requirements of the Flood Risk Management Guidelines and the most up to date available information from the OPW. The site is identified in the SFRA mapping and in the submission as being at risk from pluvial sources. Flood zones must be based on fluvial flood risk and cannot be based on pluvial flood risk.

The flood event symbol represents an approximate location. The description associated with this symbol is “Lakeview Estate Claregalway Flooding”. The report associated with this flooding was submitted by the Lakeview Residents Association in 2009. That report identifies, *inter alia*, that:

- “During the past 20 years the R. Clare has overflowed its banks in winter on a significant number of occasions flooding the N17 national route at the Nine Arches and adjacent lands at Lakeview.
- In particular, it is noted that such flooding is becoming increasingly frequent.
- Adding to the problems associated with the R. Clare overflows, the low-lying lands in the Lakeview TD are characterised by a number of turloughs which regularly flood up in winter.
- Some of these turloughs occur directly adjacent to Lakeview Estate as illustrated in the accompanying photographs.
- Some residents of Lakeview Estate have lived here since 1972 and can testify that flooding is now occurring in adjacent fields that were free of flooding 35 or so years ago.”

The content of the Lakeview Residents Association report is consistent with the findings of the SFRA for the Draft Galway County Development Plan 2022-2028. Lands adjacent to the Lakeview Estate have been flooded in the past and are subject to elevated levels of flood risk from a range of sources – including flooding from fluvial (the River Clare), groundwater (turlough) and pluvial (rainfall-generated overland flows which arise before run-off enters any watercourse or sewer – any drainage is overwhelmed by the rainfall). Only fluvial and coastal (not relevant in Baile Chláir) sources of flooding are used in the delineation of Flood Zones. Various parts of the fields adjacent to the Lakeview Estate, using the most up-to-date and available information in compliance with the FRM Guidelines, have been identified within Flood Zone A or B. Furthermore, certain areas outside of Flood Zones A and B are identified by the SFRA as being at risk from groundwater and/or pluvial sources of flooding.

The lands zoned Residential Phase 1 in this area are not within Flood Zone A or B and have been zoned in compliance with the Guidelines. It is noted, however, that they are identified as being at risk from pluvial flooding.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by Members.***

## **GLW C10-678 – LAKEVIEW ESTATE RESIDENTS**

**Pg 616**

Mr. Dunne gave an overview of issues raised in submission and read CE Response & Recommendation and advised that these lands were the subject lands that were changed prior to Christmas.

He advised this submission has raised a number of points as follows:

- Lands currently zoned Residential Area 2 at Lakeview should not be rezoned to Residential Area 1 as there is currently adequate land zoned Residential Area 1 to meet the projected housing needs of Claregalway. If lands at Lakeview are zoned Residential Area 1 then it will exacerbate existing traffic and parking problems;
- Schools should be required to provide adequate facilities for traffic including parking at both drop off and pick up times;
- The offering up of lands for amenity purposes by developers is unacceptable should this result in lands in the Lakeview area being changed to Residential Phase 1. Any such offers need to be carefully inspected to ensure lands are not subject to flooding.
- When submissions cite support from local organisations/bodies for rezoning the Council should seek to ensure that such local organisations/bodies exist or are still active and in fact support such proposed changes in zoning. Rezoning of lands in advance of proper contracts in relation to lands offered is premature and no guarantee that these lands will come forward for development.
- Zoning of lands should take into consideration the impact on existing residents.
- Zoning for residential development should be done to reduce vehicular access in favour of encouraging cycling and walking.
- No permission should be granted unless lands are zoned Residential Area 1 unless public consultation takes place and local representatives approve such changes in zoning.
- Some of the lands currently zoned Residential Phase 2 in close proximity to the local GAA pitch in Lakeview should be rezoned recreational as there is no provision for other sporting activities and the current GAA grounds will not be sufficient over the coming years.

- River Walks should be included in the County Development Plan for the Claregalway area.
- The provision of playgrounds and outdoor gyms should be in every town and village in County Galway. The provision of suitable seating and relaxation area in village and town centres.

### **Chief Executive's Response:**

The Planning Authority note the content of the submission and have the following comments:

- As part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. The Planning Authority concur with the request to retain these lands as Residential Area 2. The Planning Authority recommend that these lands should be retained as Residential Phase 2.
- All planning applications for school facilities will be considered on their merits and will be subject to compliance with the requirements of the County Development Plan. Please see **Chapter 6 Transport and Movement** which includes a specific **Policy Objective NNR 5 School Travel Plans** which requires the installation of traffic management measures and **Chapter 15 Development Management Standards**. DM Standard 32, Table 15.5 Car Parking Standards outlines the car parking requirements for schools as proposed. The parking provision as outlined within Table 15.5 is considered appropriate.
- All lands which are located within the settlement plans contained within Volume 2 have been subject a SFRA which provides an appropriately strategic assessment of flood risk in compliance with the 2009 Flood Guidelines. It considers, among other things, available, published information on flood risk.
- All submissions which are received are considered on their own merits having regard to the proper planning and sustainable development of the area.
- The preparation of the Draft Galway County Development Plan 2022-2028 involves extensive public consultation where submissions can be submitted with regard to the zoning of lands. Lands are zoned appropriately in accordance with the Core Strategy.
- The Draft Galway County Development Plan 2022-2028 has been prepared in full consideration of the climate action agenda. There are a number of areas throughout the plan where policy objectives are included to encourage walking and cycling. **Chapter 14 Climate Change, Energy and Renewable Resource** under **Table 14.3 Climate Action Policy Objectives** incorporated into the County Development Plan lists all Policy Objectives which address the climate change concerns including reduction in CO<sub>2</sub> emissions from vehicular vehicles and the encouragement of more sustainable modes of transport.

- In **Chapter 2 Core Strategy, Settlement Strategy and Housing Strategy** there are a suite of Policy Objectives that ensure that lands are developed in a sequential manner in accordance with the proper planning and development. In addition, Volume 2 contains Policy Objectives that detail the Residential Phase 1 lands are to be developed first such as **Policy Objective GCMA 1 Residential Development which supports the development of lands designated Residential (Phase 1) within the lifetime of the plan.** This Policy Objective also states that Residential (Phase 2) lands have been designated for the longer terms needs of the area and are generally not developable within the lifetime of the plan.
- There has been no indication from the local GAA club that additional lands are required at this location to meet the future needs of the club. It is also noted that there is an extensive area of lands to the immediate west and north of the GAA grounds zoned Open Space/Recreation and Amenity which could facilitate any expansion of the club into the future.
- With respect to the suggested greenway/river walk way for Baile Chláir it is noted that the provision of greenways/blueways are supported within both **Chapter 6 Transport and Movement** and **Chapter 10 Natural Heritage, Biodiversity and Green/Blue Infrastructure** of the Draft Galway County Development Plan 2022-2028 as per **Policy Objective GBW 2 Future Development of Network of Greenways, BGP 1 Strategic Greenways/Blueways, BGP 2 Development of Strategic Greenway Network and BGP 3 Greenways, Blueways, Peatways and Trails**
- The provision of a playground has been specifically referenced within **Policy Objective BCMSP 3 (b)**. The provision of an outdoor gym and suitable seating and relaxation area would be supported by Policy Objective BCMSP 3.

#### **Chief Executive's Recommendation:**

It is considered appropriate that the land use zoning map for Baile Chláir be updated to specifically detail the location of the proposed playground as referenced under BCMSP (b).





***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.***

### **GLW C10-692 – JOSEPH MORRIS**

**Pg 621**

Mr. Dunne gave an overview of issues raised in submission and read CE Response & Recommendation.

He stated the submission relates to a parcel of lands located to the rear of the Gleann Mhuiris Housing Estate. It is requested that these lands would be rezoned from Residential Phase 2 to Residential Phase 1. The submission has provided a comprehensive assessment to justify the rezoning to Residential Phase 1.

#### **Chief Executive's Response:**

Noted. As part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands towards the southern edge of the settlement boundary of Baile Chláir village zoned "Residential Phase 2" is acceptable in this instance.

#### **Chief Executive's Recommendation:**

No Change.

***CE Recommendation was proposed by Cllr. Cuddy, seconded by Cllr. McKinstry and agreed by Members.***

### **GLW C10-885 – MKO ON BEHALF OF OISIN KENNY**

Mr. Dunne gave an overview of issues raised in submission and read CE Response & Recommendation.

He stated the submission relates to a parcel of land and it is requested that the lands currently outside the plan boundary be included in the settlement boundary and zoned Residential Phase 1. The submission has provided a comprehensive assessment of the subject lands including site description and constraints, planning history, planning policy context and a justification for rezoning to Residential Phase 1.

**Chief Executive's Response:**

Noted. As part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. The subject lands as identified are located outside of the settlement boundary. It is considered that the subject lands should remain unzoned in this instance.

**Chief Executive's Recommendation:**

No change

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.***

**GLW C10-937 – MKO ON BEHALF OF SEAN NOONE**

**Pg 621**

Mr. Dunne gave an overview of issues raised in submission and read CE Response & Recommendation. The lands subject to this submission have already been dealt with by the Elected Members.

He stated the submission has requested that a parcel of land (0.6 hectares) would be rezoned from Open Space to Residential Phase 1. The submission has provided a comprehensive assessment of the subject lands including site description and constraints, planning history, planning policy context and a justification for rezoning to Residential Phase 1. A comprehensive justification has been made for the proposed rezoning which has included a Site Specific Flood Risk Assessment.

**Chief Executive's Response:**

Noted.

As identified in the submission and in the hydrologist's appendix, most of the subject lands is within Flood Zone C - compatible zoning from flood risk perspective. There is currently insufficient evidence available to justify any reductions to the extents of the flood zones at this site.

Parts of the lands are within Flood Zone A/B. Zoning for various uses on these parts of this land would not be in compliance with the Guidelines.

**Chief Executive's Recommendation:**

No Change.

**This was already dealt with at Meeting held on 20/12/2021. Noted by Members**

## **GLW C10-958 – TOMMY DUGGAN**

**Pg 622**

Mr. Dunne gave an overview of issues raised in submission and read CE Response & Recommendation.

He advised the submission has requested that lands currently zoned Town Centre Infill/Residential would be rezoned to Town Centre. The submission has indicated that the site could be utilised as retail in future years.

### **Chief Executive's Response:**

The Planning Authority note the request to change the zoning on site from Town Centre Infill/Residential to Town Centre. The Planning Authority consider the subject site to be an excellent opportunity for the provision of high quality new residential development with the settlement. As outlined in the National Planning Framework it is considered that these lands address the concept of Compact Growth which is a key strategic policy of the NPF.

### **Chief Executive's Recommendation:**

No Change.

**The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.**

## **GLW C10-1154 – WMCBC – WALSH MC MANAMON CHARTERED BUILDING CONSULTANCY**

**Page 622**

Mr. Dunne gave an overview of issues raised in submission and read CE Response & Recommendation. It was read in conjunction with **GLW C10-1155 - GOALEY CONSTRUCTION** as it relates same parcel of land.

He stated the submission has highlighted lands that are zoned for Residential Phase 2 in the MASP settlement of Baile Chláir. It is noted that these lands are the same as those referred to in submission **GLW-C10-1155**. It has been requested that these lands be zoned Residential Phase 1. A justification for the said re-zoning has been outlined.

### **Chief Executive's Response:**

Noted. As part of the review of the Baile Chláir settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 13.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Baile Chláir is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is

considered the subject lands towards the southern edge of the settlement boundary of Baile Chláir village zoned “Residential Phase 2” is acceptable in this instance.

**Chief Executive’s Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

Ms. Loughnane advised the Members to go to Page 655 to start going through the Oranmore submissions in relation to R1 lands.

Mr. Dunne advised that a motion had come in from Cllr. Donohue regarding a surplus of R 1 lands from Oranhill that was de-zoned at meeting on 20/12/2021.

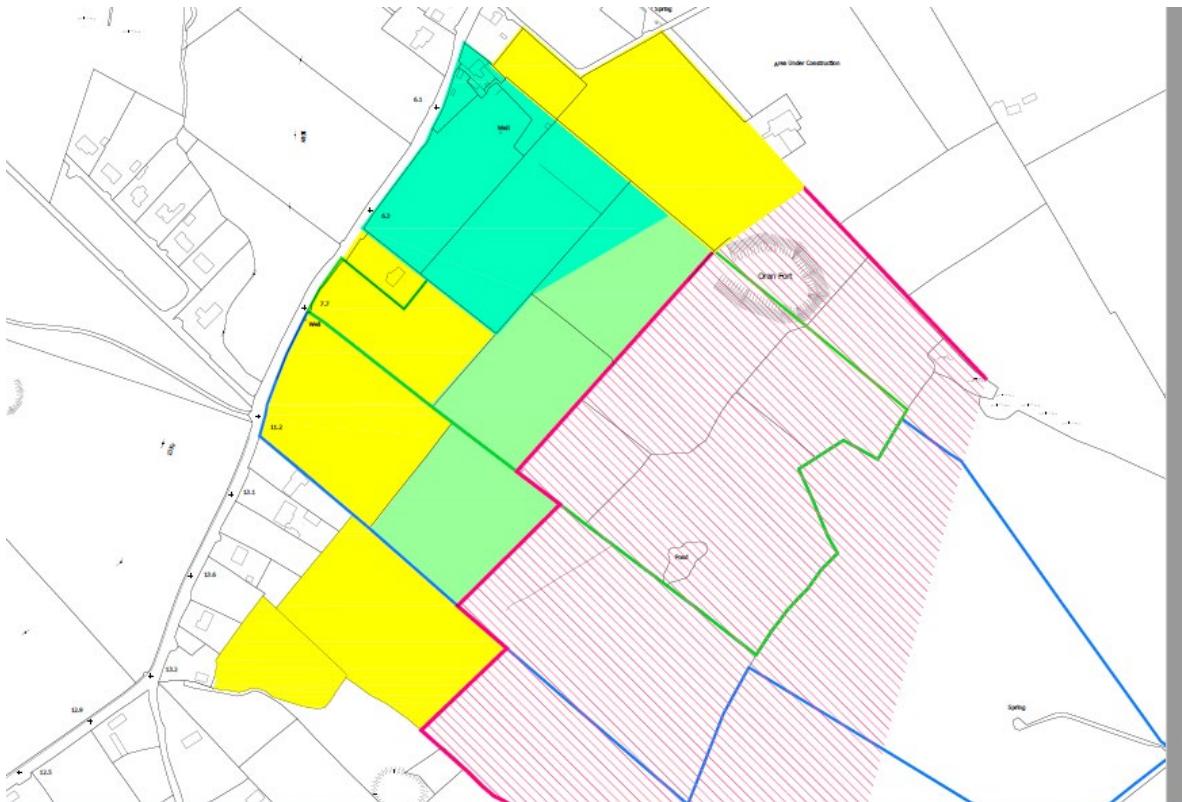
Cllr. McClearn advised that he had a serious issue with de-zoning lands that had a live planning permission on it and rezoning these lands to another location. He stated that he was worried about the implication of this decision and asked Executive for their advice on the matter. Ms. Loughnane confirmed there was live permission on this site until 2026. She stated that the Executive had very strongly advised against down-zoning these lands when the motion tabled at meeting on 20<sup>th</sup> December. She advised that the owners of these lands could send in a commencement notice on these lands at any time and stated that everything that Cllr. McClearn raised was brought up at last meeting by Executive. Cllr. Donohue advised that this piece of land was currently up for sale. Ms. Loughnane advised that regardless of the lands being up for sale or not, the principle was that there was permission on these lands until 2026 and that permission can be activated at any time. Cllr. Carroll stated that the land referred to in Cllr. Donohue’s motion was 300m away from lands that were down-zoned in Oranhill and suggested there was no consistency in this proposal. Cllr. Byrne agreed with Cllr. McClearn comments and suggested getting a legal opinion on the matter. In response to a query from Cllr. Broderick regarding the effect on Core Strategy Table if it were the case, following the de-zoning of R1 lands that development does go ahead before 2026, Ms. Loughnane explained that effectively they would be putting the population figures out. She further advised that it can be revisited when the Mid Term Review was being carried out.

The Meeting advised that there was a counter proposal in from Cllr. Carroll proposing that 1.85 ha R1 lands from Oranhill would transfer to Claregalway. He stated that he respected Cllrs. McClearn and Byrne’s comments and proposed that decision on the motion be parked until legal advice was available on it.

Mr. Cullen stated that he fully accepted Cllrs. McClearn & Byrne’s comments. He advised that they could still take a vote on Cllr. Donohue’s Motion and Cllr. Carroll could then decide to go ahead or get advice on his proposal. He advised that Cllr. Donohue’s motion stands on its own right and a vote should be taken on it. He advised that the CE recommendation was that the Members would not vote in favour of this motion.

**Cllr. Donohue submitted the following Motion:**

*I attach map - the area shaded teal green-blue is approximately 7 acres and is currently zoned phase 2 residential. The owner is happy that this parcel be zoned Phase 1 to make up for the downzoning of approx. 6.57 acres in Oranhill that was downzoned to residential and recreational. with a condition that if it is not accepted that it will remain residential phase 2.*



As the Motion was not agreed, the Cathaoirleach called for a vote. The Vote was taken, and the following was the result:

For: 4

Cllr. M. Connolly  
Cllr. Killilea

Cllr. Donohue

Cllr. Herterich/Quinn

Against: 18

Cllr. Broderick  
Cllr. Collins  
Cllr. Hoade  
Comh. Mac an Iomaire  
Cllr. McClearn  
Cllr. Reddington

Cllr. Byrne  
Cllr. Dolan  
Cllr. C. Keaveney  
Cllr. Maher  
Cllr. McKinstry  
Cllr. Roche

Cllr. Carroll  
Cllr. Finnerty  
Cllr. P. Keaveney  
Cllr. Mannion  
Cllr. Murphy  
Cllr. Welby

Abstain: 13

Cllr. Cronnelly  
Cllr. Curley  
Cllr. Kelly

Comh. O Culain  
Comh O Curraoin  
Cllr. King

Cllr. Cuddy  
Cllr. Geraghty  
Cllr. McHugh/Farag

Cllr. Parsons  
Cllr. Walsh

Cllr. Thomas

Cllr. Sheridan

***The Cathaoirleach declared that the Motion was not carried.***

Cllr. Carroll advised that he was deferring his motion until he was in receipt of legal advice on the matter.

Mr. Dunne advised that there were also a number of submissions related to Carrowmoneash lands as follows: **GLW C10-1411, GLW C10-1411, GLW C10-1379, GLW C10-1279, GLW C10-1145, GLW C10-1139, GLW C10-707, GLW C10-581 & GLW C10-380**

He explained that they were grouping these together as all submissions had requested those R1 lands would be rezoned to Open Space. He advised this had already been dealt with at a prior meeting and those lands have reverted back to Open Space.

**GLW C10-1411 – MARTHA AND MARTIN BREEN**

**Pg 655**

This submission has expressed support for the change in zoning of lands of 2.3 hectares at Carrowmoneash, Oranmore from Residential Phase 1 to Open Space / Recreation & Amenity. The submission has made reference to a previous planning refusal on lands subject to planning reference number 19/1721. The submission has highlighted six refusal reasons including traffic hazard, environmental issues and risk of flooding. The submission has highlighted that the Planning Authority deemed the proposal to be contrary to Ministerial Guidelines with respect to flooding.

**Chief Executive's Response:**

Noted. The Elected Members at the Pleinay Council Meeting to adopt the Draft Plan in May 2021 proposed and passed the rezoning from Residential Phase 1 to Open Space / Recreation & Amenity. The Planning Authority considered that there was no justification for this as the site was outside the flood risk zone as demonstrated by the Stage 2 SFRA. It is noted that the refusal reasons pertaining to planning reference 19/1721 were in relation to access arrangements; design; flooding; proximity to Natura 2000 site. In relation to flooding, it was considered that insufficient information accompanied the planning application. In the absence of these documents, the PA considered the application to be contrary to Section 28 Guidelines.

The SFRA has identified Flood Risk Zones A, B and C, as per the requirements in the Guidelines, for settlements within the County that are being provided with land use zoning under the Plan. The inclusion of lands within the relevant Flood Zone has implications for the land use zoning allowed under the Guidelines.

The subject lands have been identified as being within Flood Zone C – the flood zone with the lowest flood risk. There is no historical evidence of flooding identified for the subject lands and the OPW's most advanced, available, predictive model does not indicate any "Present Day" risk. Flood Zones A and B must be based on

“Present Day” risk, which does not take into account increases in risk as a result of climate change.

Notwithstanding this, parts of the subject lands, in a similar way to other Flood Zone C lands within settlements across the County, have been identified by OPW’s most advanced, available, predictive model as being at risk under two Future Scenarios that take into increases in flood risk as a result of climate change: “High-End Future Scenario” (a more extreme prediction) and “Mid-Range Future Scenario” (an average of predictions).

Any future development on lands within Flood Zone C will need to demonstrate compliance with the various Plan provisions relating to Flood Risk Assessment and climate change, including those relating to assessing the potential impacts of climate change, such as an increase in the extent or probability of flooding, and any associated measures necessary to address these impacts.

In accordance with Recommendation No. 7 of the Office of the Planning Regulator, it is considered that these lands should revert to Residential Phase 1 as per the pre-draft plan.

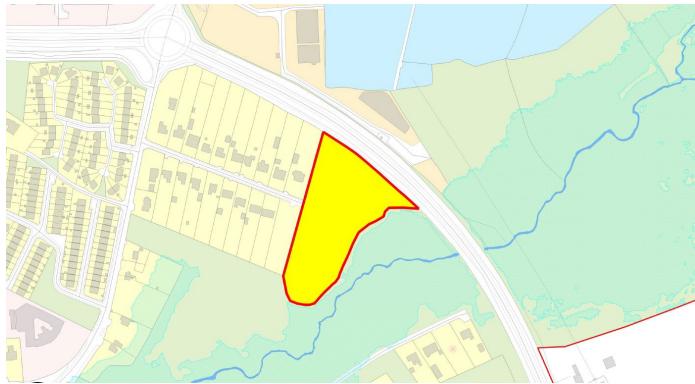
**Chief Executive’s Recommendation:**

1. Remove Open Space / Recreation & Amenity and replace with Residential Phase 1 in line with Recommendation 1 of the Office of the Planning Regulator submission.

From



To



2. Revert to the pre-draft plan zoning as Residential Phase 1.

## GLW C10-1379 – GABRIEL AND CARMEL FOLAN

Same as GLW-C10-1411 above.

### **Chief Executive's Response:**

Noted. The Elected Members at the Pleinary Council Meeting to adopt the Draft Plan in May 2021 proposed and passed the rezoning from Residential Phase 1 to Open Space / Recreation & Amenity. The Planning Authority considered that there was no justification for this as the site was outside the flood risk zone as demonstrated by the Stage 2 SFRA. It is noted that the refusal reasons pertaining to planning reference 19/1721 were in relation to access arrangements; design; flooding; proximity to Natura 2000 site. In relation to flooding, it was considered that insufficient information accompanied the planning application. In the absence of these documents, the PA considered the application to be contrary to Section 28 Guidelines.

The SFRA has identified Flood Risk Zones A, B and C, as per the requirements in the Guidelines, for settlements within the County that are being provided with land use zoning under the Plan. The inclusion of lands within the relevant Flood Zone has implications for the land use zoning allowed under the Guidelines.

The subject lands have been identified as being within Flood Zone C – the flood zone with the lowest flood risk. There is no historical evidence of flooding identified for the subject lands and the OPW's most advanced, available, predictive model does not indicate any "Present Day" risk. Flood Zones A and B must be based on "Present Day" risk, which does not take into account increases in risk as a result of climate change.

Notwithstanding this, parts of the subject lands, in a similar way to other Flood Zone C lands within settlements across the County, have been identified by OPW's most advanced, available, predictive model as being at risk under two Future Scenarios that take into increases in flood risk as a result of climate change: "High-End Future Scenario" (a more extreme prediction) and "Mid-Range Future Scenario" (an average of predictions).

Any future development on lands within Flood Zone C will need to demonstrate compliance with the various Plan provisions relating to Flood Risk Assessment and climate change, including those relating to assessing the potential impacts of climate change, such as an increase in the extent or probability of flooding, and any associated measures necessary to address these impacts.

In accordance with Recommendation No. 7 of the Office of the Planning Regulator, it is considered that these lands should revert to Residential Phase 1 as per the pre-draft plan.

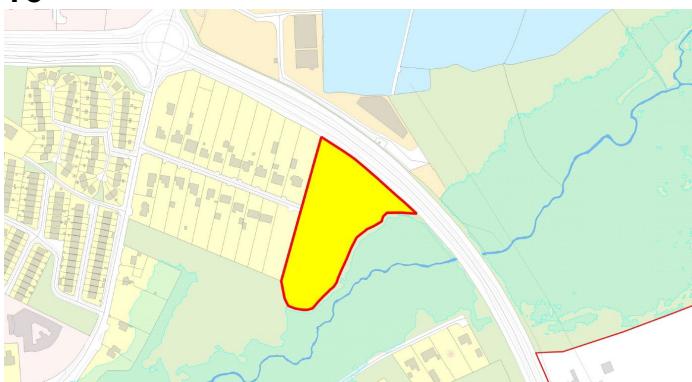
### **Chief Executive's Recommendation:**

1. Remove Open Space / Recreation & Amenity and replace with Residential Phase 1 in line with Recommendation 1 of the Office of the Planning Regulator submission

**FROM:**



To



2. Revert to the pre-draft plan zoning as Residential Phase 1.

#### **GLW C10-1279 – FIONNUALA & GARY O'DONNELL**

Same as GLW-C10-1411 above.

#### **GLW C10-1145 – MARY MADDEN**

Same as GLW-C10-1411 above.

#### **GLW C10-1139 – BRIAN & MARY O HIGGINS**

Same as GLW-C10-1411 above.

#### **GLW C10-707 – OLIVER & TRIONA O HIGGINS**

Same as GLW-C10-1411 above.

#### **GLW C10-581 – SARAH & DECLAN BURKE**

Same as GLW-C10-1411 above.

#### **GLW C10-380 – CATHERINE FLANNERY**

Same as GLW-C10-1411 above.

***These were already dealt with at Meeting held on 20/12/2021. Noted by Members***

### **GLW C10-1143 – JOHN HYNES**

Pg 678

Mr. Dunne gave an overview of the issues raised in submission and read CE Response & Recommendation.

He advised this submission relates to lands located adjacent to the Garda Station, Oranmore. The site is located within Flood Zone A which the submission states is incorrect. The submission outlines the suitability of the site for development, stating that the site presents an excellent opportunity for developing Tourism and Leisure facilities. It is noted that commercial / mixed used zoning could usefully further enhance the tourism opportunity for local craft and artisan showcasing and retail. The provision of a hotel is recommended. It is requested that Commercial / Mixed Use zoning is applied to the entire site.

#### **Chief Executive's Response:**

The subject lands are identified in Flood Zone A. The SFRA undertaken at Plan level provides an appropriately strategic assessment of flood risk within the town of Oranmore in compliance with the 2009 Guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. It considers, among other things, available, published information on flood risk. Taking into account the Stage 2 SFRA prepared as part of the Draft County Development Plan, it is noted that Indicative Flood Zone A at this site is appropriate. Justification test would not pass on the lands within Flood Zone A.

The Planning Authority considers there are more suitable alternative lands available for tourism / leisure facilities in Oranmore.

#### **Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

### **GLW C10-1141 – GEORGE FRANCIS MCGRATH**

Pg 679

Mr. Dunne gave an overview of the issues raised in submission and read CE Response & Recommendation.

He advised this submission relates to lands at Main Street, Oranmore. The site is partially zoned Open Space / Recreation & Amenity and Town Centre in the Draft Galway County Development Plan 2022-2028. The site is under private ownership with no existing public realm or public access. The submission requests that the site is zoned Town Centre in its entirety.

**Chief Executive's Response:**

The contents of this submission in relation to the Constrained Land Use objective and 'Town Centre' zoning have been noted. It is submitted that the lands in question have been zoned 'Open Space / Recreation & Amenity' due to the associated flood risk. Taking into account the Stage 2 SFRA prepared as part of the Draft County Development Plan, the lands zoned Open Space / Recreation & Amenity are located within Flood Zone A. The rezoning of these lands would not be in compliance with the 2009 guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. Justification test would not pass on the lands within Flood Zone A.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation as proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

**GLW C10-1140 – DR. JOHN HYNES**

**Pg 679**

Mr. Dunne gave an overview of the issues raised in submission and read CE Response & Recommendation.

He advised this submission relates to a property at Main Street, Oranmore, Co. Galway. The site is zoned Town Centre and Open Space / Recreation & Amenity in the Draft Galway County Development Plan 2022-2028. The site is entirely within private ownership and the benefit of public access to Open Space/Recreation and Amenity was never pertained. The submission requests that the site is zoned Town Centre in its entirety.

**Chief Executive's Response:**

The contents of this submission in relation to the constrained land use objective and Town Centre zoning have been noted. It is submitted that the lands in question have been zoned Open Space / Recreation & Amenity due to the associated flood risk. Taking into account the Stage 2 SFRA, the lands zoned Open Space / Recreation & Amenity are located within Flood Zone A. The rezoning of these lands would not be in compliance with the 2009 guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. Justification test would not pass on the lands within Flood Zone A.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

## **GLW C10-903 – JOHN GREALLY**

**Pg 681**

Mr. Dunne gave an overview of the issues raised in submission and read CE Response & Recommendation.

He advised this submission relates to lands at Maree Road, Oranmore which are zoned Residential Phase 2 and Open Space / Recreation & Amenity in the Draft Galway County Development Plan 2022-2028. In addition, the submission relates to a portion of land which is located outside the settlement boundary.

The submission requests the following:

- The portion of land zoned 'Residential Phase 2' to be zoned 'Residential Phase 1';
- The portion of land zoned 'Open Space / Recreating & Amenity' to be zoned 'Residential Phase 2'; and,
- The unzoned land to remain the same.

The submission outlines the advantages of this rezoning while providing a rationale for the proposal.

### **Chief Executive's Response:**

Noted. As part of the review of the Oranmore settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 20.53 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Oranmore is in full compliance with the Core Strategy of the Draft Galway County Development Plan.

It is considered that the proposed zoning contained in the plan for the site is acceptable in this instance.

### **Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by Members.***

## **GLW C10 895 – HAILVIEW LTD.**

**Pg 681**

Mr. Dunne explained that the submission relates to land in Carrowmoneash and this has already been with at a prior meeting.

He advised the submission relates to lands of 2.3 hectares at Carrowmoneash, Oranmore. The lands are zoned 'Open Space / Recreation & Amenity' in the Draft Galway County Development Plan 2022-2028. The submission requests that the lands are zoned 'Residential Phase 1'. The submission outlines a rationale for the proposal and is accompanied by a Flood Risk Assessment prepared by Langan Consulting Engineers.

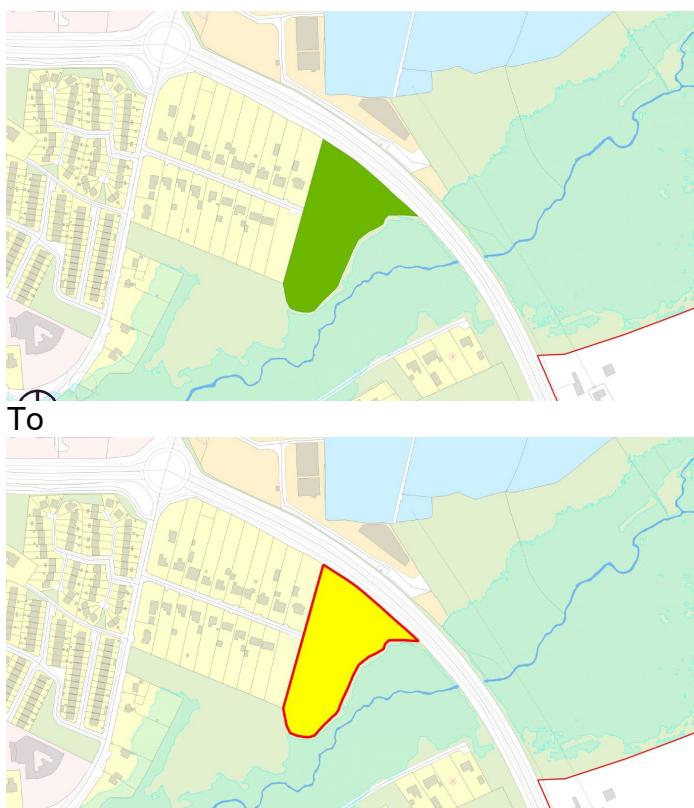
**Chief Executive's Response:**

Noted. The Elected Members at the Pleinay Council Meeting to adopt the Draft Plan in May 2021 proposed and passed the rezoning from Residential Phase 1 to Open Space / Recreation & Amenity. The Planning Authority considered that there was no strong justification for this as the site was outside the flood risk zone as demonstrated by the SFRA. Having regard to the planning history and the Stage 2 SFRA prepared as part of the Draft County Development Plan, it is noted that the lands rezoned from Residential Phase 1 lands to Open Space /Recreation and Amenity are not encroaching on Flood Zone A or B. It is therefore considered that there is no justification for the rezoning from the Elected Members from Residential Phase 1 to Open Space / Recreation & Amenity, in accordance with Recommendation No. 7 of the Office of the Planning Regulator. These lands should revert to Residential Phase 1 as per the pre-draft plan.

**Chief Executive's Recommendation:**

1. Remove Open Space / Recreation & Amenity and replace with Residential Phase 1 in line with Recommendation 1 of the Office of the Planning Regulator submission.

**FROM:**



***This was already dealt with at Meeting held on 20/12/2021. Noted by Members***

## **GLW C10-860 – MARY DOOLEY AND MICHAEL GREALISH**

**Pg 683**

Mr. Dunne gave an overview of the issues raised in submission and read CE Response & Recommendation.

He advised this submission relates to lands at Frenchfort, Oranmore. The subject lands are not currently zoned in the Draft Galway County Development Plan 2022-2028. The submission requests that the lands are included in the settlement boundary and zoned Residential Phase 1. The submission outlines a rationale for the proposed zoning and is accompanied by a Preliminary Ecological Assessment.

### **Chief Executive's Response:**

Noted. As part of the review of the Oranmore settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 20.53 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Oranmore is in full compliance with the Core Strategy of the Draft Galway County Development Plan. It is considered that the location of the site outside of the settlement boundary is acceptable in this instance.

### **Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

## **GLW C10-845 – SOFTDRIVE LTD**

**Pg 683**

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised this submission relates to lands at Renville & Oranbeg, Oranmore. The submission requests additional land to be included in the settlement boundary and that this land would be zoned Residential. The submission proposes to utilise land banks in the Renville & Oranbeg area for provision of sustainable housing.

### **Chief Executive's Response:**

Noted. As part of the review of the Oranmore settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 20.53 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Oranmore is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028 therefore it is not considered appropriate to extend the settlement boundary to include additional residential zoned lands.

Oranbeg - Significant parts of these sites are within Flood Zone A/B, aligning with CFRAMS. Proposed Zoning on Flood Zone A/B would not be in compliance with the 2009 Guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. Justification test would be failed for Flood Zone A/B lands.

Renville/Oranbeg - Significant parts of this site are within Flood Zone A/B, aligning with Irish Coastal Protection Strategy Study (ICPSS) mapping. Proposed Zoning on Flood Zone A/B would not be in compliance with the 2009 Guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. Justification test would be failed for Flood Zone A/B lands.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

**GLW C10-738 – ROYKEEL LTD**

Pg 686

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised this submission refers to lands to the south-east of Oranmore, west of the N67 and east of Oranhill. The lands are zoned Residential Phase 1 and Community Facilities in the extant Galway County Development Plan 2015-2021. The proposed zoning for the site under the Draft Galway County Development Plan 2022-2028 is Residential Phase 1 and Open Space / Recreation & Amenity, with a reduction in the size of the residential zoned land to facilitate the OS zoning. The submission requests that the zoning at this site remains the same as in the extant development plan, Residential Phase 1 and Community Facilities. The submission outlines a rationale for the proposal including details of the projected population growth for Oranmore; the support for the upgrading of the wastewater plant serving Oranmore; and, the need to develop clear Development Management Standards for densities in Metropolitan Towns.

It is requested that the Development Management Standards for density are updated in accordance with the relevant Section 28 Ministerial Guidelines.

**Chief Executive's Response:**

Noted. It is submitted that the land use zoning matrix for Community Facilities and Open Space / Recreation & Amenity contain similar permissible and open for consideration land uses, therefore it is considered acceptable that the lands remain zoned Open Space / Recreation & Amenity.

As per the OPR Recommendation the Core Strategy Table has been updated.

**Chief Executive's Recommendation:**

No Change.

**Cllr. Carroll advised that the Oranmore/Athenry Members had put in a motion as follows:**

*We, the undersigned Elected Members for the Athenry/Oranmore Municipal District of Galway County Council, hereby propose that the zoning at the site remains the same as in the extent development plan, Residential Phase 1 and Community Facilities. The CE's report indicates that the land use zoning matrix for Community Facilities and Open Space/Recreation & Amenity contain similar permissible and open for consideration land uses. However, it is the wish of the submittor under GLW-C10-738 to include the construction of a Creche and Community Meeting facility which is not covered by Open Space/Recreation & Amenity Zoning.*

**Cllr. Liam Carroll, Cllr. James Charity, Cllr. David Collins, Cllr. Gabe Cronnelly, Cllr. Jim Cuddy, Cllr. Albert Dolan, Cllr. Shelly Herterich Quinn**

Mr. Dunne outlined that the motion relates to R1 and Community/Facility lands and that the reverting of R1 lands may not be in compliance with Core Strategy and therefore was recommended to amend the zonings in relation to the Community Facility lands solely.

***This motion was proposed by Cllr. Carroll, seconded by Cllr. Cuddy and agreed by the Members.***

## **GLW C10-668 – TOM SAMPSON**

**Pg 687**

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised this submission raises a number of issues in Oranmore. The submission notes that their property is zoned Residential Phase 2 in the Draft Galway County Development Plan 2022-2028, however requests that it is zoned existing residential. The submission states that the lands adjacent to theirs is subject to frequent surface water flooding.

It is requested that a firm commitment is put in place to deliver community facilities. The submission notes that Active Travel infrastructure should be included as part of these facilities.

The submission states that Oranmore and Garraun should not be considered two separate settlements and Active Travel infrastructure must be developed and implemented in parallel with any development at Garraun, ensuring that Active Travel access between the two locations is immediate, not something to be completed post-build.

The submission requests specific emphasis and objectives on concepts that would reduce car travel.

**Chief Executive's Response:**

Noted. The contents of the submission have been noted by the Planning Authority. Following review of the zoning map, the Planning Authority considers the zoning of this land as Residential Existing to be appropriate.

It is noted that the plan for Oranmore is a land-use plan which provides policy objectives to support development of the town, as outlined in **Policy Objective OMSp 8 Community Facilities** which seeks to provide the necessary community facilities in Oranmore.

Oranmore Settlement Plan and the Garraun Urban Framework Plan have been prepared concurrently and are informed by one another. The policy objectives for each settlement have been prepared with strong consideration of the other. The Planning Authority consider that both the Settlement Plan and Urban Framework Plan compliment and support each other. Both settlements are located within the MASP.

With regards to traffic and transport, both plans have taken into account the GTS and GCTPS and the policy objectives outlined Section 6.3.3, **Chapter 6 Transport and Movement** of the Draft Galway County Development Plan support its implementation, with particular regard to the MASP. Garraun is a unique settlement as a result of the train station and the development envisaged in the UFP for Garraun will enhance the connectivity of the train station to the town centre of Oranmore. The policy objectives complement each other.

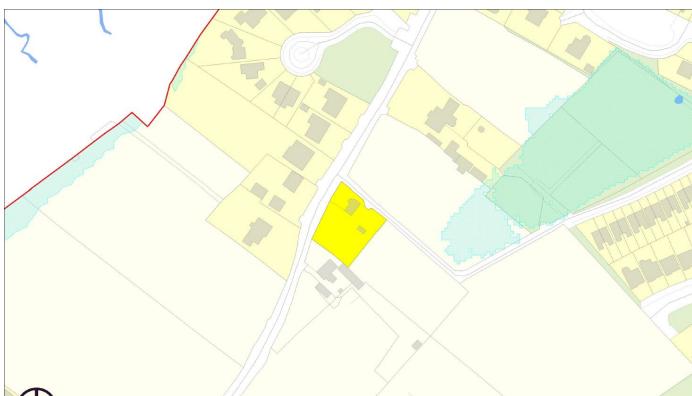
It is considered that the settlements of Oranmore and Garraun are intertwined and the future anticipated success of Garraun will have positive implications for both settlements and the wider MASP area.

**Chief Executive's Recommendation:**

Rezone lands from Residential Phase 2 to Residential Existing.

**From**





***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Cuddy and agreed by the Members.***

## **GLW C10-556 – DARRAGH GUINNANE**

**Pg 693**

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised a comprehensive submission has been made in relation to a site at Moneymore, Maree Road, Oranmore. The submission outlines information regarding the site, including its proximity to facilities and services. The submission requests that the settlement boundary is extended to include the subject site and that the site be zoned Residential. The submission outlines a justification for the proposed extension of the settlement boundary rezoning of the site, including zoning history, habitat designations, and flooding.

### **Chief Executive's Response:**

Noted. As part of the review of the Oranmore settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 20.53 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Oranmore is in full compliance with the Core Strategy of the Draft Galway County Development Plan.

Zoning of this site would also have the potential to impact upon European sites, which are highly protected. Any part of this site within a European site could not be developed therefore zoning it would be inappropriate.

### **Chief Executive's Recommendation:**

No Change.

Cllr. Carroll advised there was a typo in this submission and that it should be Moneyduff and not Moneymore. This was noted.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

## GLW C10-530 – FRANK FLANAGAN

Pg 693

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation

He advised this submission relates to a site of approx. 0.16 hectares at Frenchpark, Oranmore. The site is zoned Residential Existing with a small section of Open Space / Recreation & Amenity in the Oranmore Local Area Plan 2012-2022. The submission requests that the lands remain zoned as residential in the forthcoming Development Plan. The submission outlines the rationale for this proposal.

### Chief Executive's Response:

Noted. The proposal outlined in this submission has been noted. The Planning Authority considers it acceptable to zone the subject lands Residential Infill.

A relatively small part of this site is within Flood Zone A/B. Proposed Zoning on Flood Zone A/B would not be in compliance with the Guidelines. Justification test would be failed for Flood Zone A/B lands.

### Chief Executives Recommendation:

Rezone from Open Space / Recreation & Amenity to Residential Infill

**From**



**To**



***The CE Recommendation was proposed by Cllr. Cuddy, seconded by Cllr. Carroll and agreed by the Members.***

## GLW C10-439 – MARK COFFEY

Pg 697

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised that this submission suggests that more land needs to be zoned in Oranmore to meet the needs of Oranmore.

### Chief Executive's Response:

Noted. The contents of the submission have been noted and the Planning Authority considers that there is sufficient land zoned within Oranmore to support and facilitate future development while ensuring compact growth.

### Chief Executive's Recommendation:

No Change.

*The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.*

## GLW C10-406 – BRENDAN CARROLL

Pg 697

Mr. Dunne requested that this submission be read in conjunction with **GLW C10-397**. He gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised this submission relates to lands to the north of Oranmore Town Centre. The site is zoned Residential Existing under the Draft Galway County Development Plan 2022-2028. The submission requests that the Constrained Land Use objective is removed from the subject site and that the site remains zoned Town Centre / Commercial as contained in the Oranmore Local Area Plan 2012-2022. The submission outlines the suitability of the site for Town Centre zoning.

### Chief Executive's Response:

The subject lands are partially identified in Flood Zone A with a Constrained Land Use objective pertaining to this section of the site. The SFRA undertaken at Plan level provides an appropriately strategic assessment of flood risk within the town of Oranmore in compliance with the 2009 Flood Guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. It considers, among other things, available, published information on flood risk. Taking into account the Stage 2 SFRA prepared as part of the Draft County Development Plan, it is noted that Indicative Flood Zone A at this site is appropriate. Justification test would not pass on the lands within Flood Zone A.

The Planning Authority considers the Constrained Land Use objective to be appropriate in this instance.

It is considered that the zoning of this site as Residential Existing is appropriate the Planning Authority would not see any benefit of extending the Town Centre zoned lands in Oranmore. Therefore, the Planning Authority does not propose any change to the zoning of this site.

**Chief Executive's Recommendation:**

No Change.

**GLW C10-397 – VINCENT CARROLL**

Read in conjunction with GLW-C10-406 above.

*The CE recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.*

**GLW C10-255 – COPPINGER BUILDING**

Pg 699

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised the submission refers to lands at Carrowmoneash, Oranmore. The submission requests that the Constrained Land Use objective is removed from the site and that the site is zoned solely Residential.

**Chief Executive's Response:**

The subject lands are partially identified in Flood Zone A, with a Constrained Land Use objective pertaining to this section of the site. The SFRA undertaken at Plan level provides an appropriately strategic assessment of flood risk within the town of Oranmore in compliance with the 2009 Flood Guidelines. It considers, among other things, available, published information on flood risk. Taking into account the Stage 2 SFRA prepared as part of the Draft County Development Plan, it is noted that Indicative Flood Zone A at this site is appropriate.

The Constrained Land Use objective cannot be removed as it reflects Flood Zones A which have been delineated as per the process outlined in the Ministerial Guidelines. There is no evidence provided that would result in flood zones being updated. The Planning Authority considers the Constrained Land Use objective to be appropriate in this instance.

The site is zoned solely Residential Existing with the necessary Constrained Land Use objective applied.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

**GLW C10-253 – GEORGE FRANCIS MCGRATH**

Pg 699

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation.

He advised the submission refers to lands at Main Street, Oranmore. The lands are zoned Town Centre and Open Space / Recreation & Amenity in the Draft Galway County Development Plan 2022-2028. The submission requests that the entire site is zoned Town Centre. The submission outlines a rationale for the proposed zoning

**Chief Executive's Response:**

The contents of this submission in relation to the constrained land use objective and Town Centre zoning have been noted. It is submitted that the lands in question have been zoned Open Space / Recreation & Amenity due to the associated flood risk. Taking into account the Stage 2 SFRA prepared as part of the Draft County Development Plan, it is noted that Indicative Flood Zone A at this site is appropriate. The proposed zoning on Flood Zone A would not be in compliance with the 2009 guidelines, *The Planning System and Flood Risk Management, Guidelines for Planning Authorities*. Justification test would not pass on the lands within Flood Zone A.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Maher and agreed by the Members.***

The Members then went on to go through submissions in relation to R1 lands in the Bearna area

**GLW C10-251 – DERMOT CORCORAN**

Pg 624

Mr. Dunne gave an overview of the issues raised in the submission and read CE Response & Recommendation. He stated that the submission focuses on the MASP area of Barna.

He advised this submission has focused on the MASP settlement of Bearna and has highlighted the following:

- Basing the CDP on the 2016 Census is a flawed and risky strategy. The population of Bearna has expanded rapidly between 2000-2008 and again post 2016. This expansion has occurred without committed development and infrastructure.

- The Metropolitan Area Strategic Plan (MASP) with respect to Béarna is flawed. There is limited public transport, a singular traffic artery (R336) which experiences significant traffic jams. Sustainable compact development is not feasible in Béarna until such time as the Galway City Outer Bypass has been constructed.
- Sustainable development of Béarna can only take place when there is sufficient wastewater treatment capacity.
- Policy Objectives BSMP 5 & 7 are not reflected in the zoning plan for Béarna. A linear zonation of minimum of 50m is required to ensure a coastal amenity park can be achieved. The absence of such provision will completely undermine concepts such as Oranmore-Béarna Cycleway among other things
- In light of global warming and rising sea levels and changing storm patterns a minimum building setback of 50m from the foreshore boundary wall.
- With respect to BMSP 10 “prepare and publish an Architectural Conservation Area Appraisal and Management Plan” for the existing ACA along the Pier Road is required as a matter of urgency.

**Chief Executive’s Response:**

- The population projections for Béarna as detailed within Chapter 2: Core Strategy, Settlement Strategy and Housing Strategy have been carried out having regard to Census 2016, ESRI figures, the location of the settlement within the metropolitan area of Galway City as designated in the RSES, the population requirements as per the NPF and the RSES. The topography of the settlement and infrastructure capacity has also been taken into consideration with regard to the population allocation for the settlement of Béarna.
- The designation of Béarna as a settlement within the MASP has been predetermined as part of the RSES. The County Development Plan must be consistent with the RSES and as such the settlement of Béarna cannot be excluded from the MASP.
- The Council have liaised with Irish Water and there is sufficient capacity at Mutton Island to meet the forecasted growth in Béarna.
- The comments noted with respect to BSMP 5 and 7 are noted. The Council are satisfied that the building setback of 30m from the foreshore field boundary line will allow sufficient space to ensure a coastal amenity park as well as the Oranmore-Béarna Cycleway can be achieved.
- The comments in relation to global warming and rising sea levels are noted. The SFRA undertaken at Plan level provides an appropriately strategic assessment of flood risk within the town of Béarna in compliance with the 2009 Flood Guidelines. It considers, among other things, available published information on flood risk. The setback area of 30m has been considered as part of this assessment.

- The comments with respect to BMSP 10 and the preparation of an Architectural Conservation Area Appraisal and Management Plan are noted. The Council agree with the comments made in this regard and will ensure this body of work is carried out subject to the availability of resources.

**Chief Executive's Recommendation:**

No Change.

**Cllr. McKinstry submitted the following motion:**

*In light of global warming and rising sea levels and changing storm patterns a minimum building setback of 50m from the foreshore boundary wall.*

Cllr. McKinstry advised that he had submitted this motion proposing a building setback of 50m from the foreshore boundary wall in light of rising sea levels and changing storm patterns. He stated that he was not in agreement with CE recommendation.

Ms. Loughnane stated that SFRA had indicated that a 30m was sufficient. However, she stated that if Cllr. McKinstry wanted to increase that to 50m, it was up to the Members to agree on it. There was no seconder to this motion.

An Comh. O Curraoin proposed that the building setback of 30m be changed to 15m from the foreshore boundary wall in Bearna.

**An Comh. O'Curraoin submitted the following motion:**

*I propose that a new setback of 15m from the sea be put in place at Bearna.*

Ms. Loughnane strongly advised against a 15m set back and advised that their recommendation was 30m. Cllr. McClearn stated that he was opposed to the concept of a 15m set-back and stated that they had enough bad experiences of development taking place on flood plains in the past.

Cllr. Thomas stated that by leaving it at 15m it gave a small bit more scope and stated that the FRA would determine if it would get planning or not.

As the motion was not agreed, the Cathaoirleach called for a vote. A Vote was taken and the following was the result:

For: 19

Cllr. Canning	Cllr. D. Connolly	Cllr. M. Connolly
Cllr. Cronnelly	Comh. O Cualáin	Cllr. Cuddy
Cllr. Curley	Comh. O Curraoin	Cllr. Finnerty
Cllr. Geraghty	Cllr. Herterich/Quinn	Cllr. C. Keaveney
Cllr. Killilea	Cllr. King	Comh. Mac an Iomaire
Cllr. Parsons	Cllr. Sheridan	Cllr. Thomas
Cllr. Walsh		

Against: 9

Cllr. Byrne	Cllr. Carroll	Cllr. Charity
Cllr. Maher	Cllr. McClearn	Cllr. McHugh/Farag

Cllr. McKinstry

Cllr. Reddington

Cllr. Welby

Abstain: 7

Cllr. Broderick  
Cllr. Kelly  
Cllr. Roche

Cllr. Donohue  
Cllr. Mannion

Cllr. P. Keaveney  
Cllr. Murphy

***An Cathaoirleach declared the Motion carried.***

## **GLW C10-437 – PADRAIG CAMPBELL**

**Pg 625**

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised the submission has raised a number of points in relation to the settlement of Bearna as follows:

- The village of Bearna is not in the Metropolitan area of Galway. Bearna is not urban and is a village.
- The submission is not supportive of the Infill Residential Zoning at the bottom of Mags Lane. This zoning encroaches on the 30 metre setback/Amenity Park.
- Concerns raised in terms of sewage treatment capacity for Bearna and water quality.

### **Chief Executive's Response:**

- The designation of Bearna as a settlement within the MASP has been predetermined as part of the RSES. The County Development Plan must be consistent with the RSES and as such the settlement of Bearna cannot be excluded from the MASP.
- The comments with respect to the Infill Residential Zoning at the bottom of Mags Lane and the concerns with regard to this zoning encroachment on the 30 metre setback/amenity park are noted. The 30m setback as required under Policy Objective BMSP 9 – Coastal Setback would need to be adhered to should a planning application be submitted for these lands. Any proposal which would encroach on this coastal setback would materially contravene the plan. The inclusion of Policy Objective BMSP 9 is considered sufficient to ensure this 30m coastal setback is sufficiently protected.
- The Council have liaised with Irish Water and there is sufficient capacity at Mutton Island to meet the forecasted growth in Bearna.

### **Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. Walsh and agreed by the Members.***

## GLW C10-522 – DONNELLY FAMILY

### Pg 626

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised that a comprehensive submission has been received which has detailed that they were not consulted and none of their concerns have been addressed in the plan. A number of themes have been requested as follows:

- The strategic location and special character of Bearna needs to be recognised with the need for it to grow successfully and sustainably.
- The heritage of Bearna needs to be protected without limiting progress.
- Higher population and employment allocations should be provided for Bearna. Bearna has been referred to as a strategic location for housing on page 53 of the RSES.
- The RSES favours future growth focusing on consolidation of built-up areas and supporting community infrastructure and services that are accessible by walking cycling or public transport. The plan is inconsistent with this and should be altered.
- The plan fails to adequately direct and encourage sustainable urban development in the built up areas of Bearna.
- Hard and soft infrastructure needs to be improved.
- Additional amenities and services are required for Bearna such as a new primary school, childcare, sporting facilities and play areas.
- The plan should do more to address outward commuting from Bearna.
- The plan needs to be revised to ensure implementation of national and regional policies.
- The R336 inner relief road should be rejected in favour of the prioritisation of more sustainable modes of transport. This route does not encourage a transition towards sustainable and low carbon transport modes. The route is not in accordance with the GTS.
- The N6GCCR must support sustainable transport.
- Greenway infrastructure to the city should also be delivered.

#### **Chief Executive's Response:**

The Council notes the submission has highlighted that they were not consulted and none of their concerns have been taken on board. In the interests of clarity, the Council would like to put on record that a significant level of public consultation has taken place to date in the preparation of the Draft Galway County Development Plan 2022-2028 and also during the recent public display period of the draft plan where the submitters have provided their comments and concerns on the plan.

- The strategic location and character of Bearna have been recognised within the preparation of the Draft Galway County Development Plan 2022-2028. It is considered that there are Policy Objectives in the Bearna settlement plan and in the County Development Plan to ensure it will grow successfully and sustainably.
- It is considered that there are Policy Objectives in the Bearna settlement plan and in the County Development Plan to ensure progress will not be limited whilst also protecting the heritage of Bearna.

- The population projections for Bearna as detailed within Chapter 2: Core Strategy, Settlement Strategy and Housing Strategy have been carried out having regard to Census 2016, ESRI figures, the strategic location of the settlement within the metropolitan area of Galway City as designated in the RSES, the population requirements as per the NPF and the RSES. The topography of the settlement and infrastructure capacity has also been taken into consideration with regard to the population allocation for the settlement of Bearna which is deemed sufficient to meet the growth of the settlement over the life of the plan.
- The plan has been prepared in accordance with and has been informed by the RSES. The plan supports the future growth of built up areas as evidenced by the focusing of development within established built up area. The plan supports the provision of community facilities and services (see Policy Objective BMSP 3). The plan also supports enhanced public transport provision (see Policy Objective BMSP 18). The plan also supports both walking and cycling provision (see Policy Objective BMSP 15 and BMSP 19). It is considered that the provisions within the Bearna settlement plan and the wider County Development Plan supports consolidation of built-up areas and supporting community infrastructure and services that are accessible by walking cycling or public transport
- The plan has provided appropriate land use zonings to encourage sustainable urban development in the built up areas of Bearna. It is considered that the plan would contribute towards the compact and sustainable urban development of the town.
- The improvement of hard and soft infrastructure is supported within the settlement plan (see BMSP 13 – Public Infrastructure).
- The request for additional amenities and services for Bearna are noted. The plan supports the provision of community facilities and services within BMSP 3. Further Policy Objectives BMSP 6 to BMSP 9 supports improved national school facilities, a coastal amenity park, support the preparation of a feasibility study jetty/marina development and a coastal setback of 30m from the foreshore to allow for the development of the coastal amenity park and a seaside promenade, cycleway, children's playground(s), landscaped amenity space and improved access routes to the local beaches, Bearna Pier and water-based activities.
- Due to the proximity of Bearna to Galway City it is inevitable that there will continue to be significant outward commuting due to employment, education and amenity reasons to name but a few. This plan supports employment and economic development within the settlement of Bearna and provides an environment to facilitate the creation of economic development opportunities and employment. The plan also supports the importance of sustainable transport, including the effective integration of land use and transportation, encouraging a modal shift from private transport to cycling, cycling and public transport
- The Council consider the Draft Galway County Development Plan 2022-2028 is consistent with national and regional policies.
- This plan continues to support the completion of the Inner Relief Road to form a new village street with high quality mixed-use development, which would further enhance the vitality and success of Bearna village. However, the plan also supports the importance of sustainable transport, including the effective integration of land use and transportation, encouraging a modal shift from private transport to cycling, cycling and public transport.

- The Planning Authority notes the reference to the N6GCCR. Galway County Council together with Galway City Council, the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII) are committed to delivering a sustainable transport vision for Galway where all elements of transport are working together to achieve an integrated transport solution. This is being progressed in the city and environs area by the delivery of the GTS which includes measures such as public transport, bus networks, rail, park and ride, cycle networks and the provision of the N6 GCRR. The GTS has been further complimented by the new GCTPS which forms part of this Draft Galway County Development Plan 2022-2028. The GCTPS. The GCTPS seeks to actively promote and support improvements to the transport networks which will encourage greater use of sustainable transport by existing populations, reduce car dependency and support new development in locations where sustainable travel choices can be encouraged and facilitated through existing and upgraded infrastructure and other measures.
- The plan supports the development of a strategic greenway network. Policy Objective BGP2 supports the development of the Oranmore to Bearna Coastal Greenway.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.***

**GLW C10-539 – KENNEDY FAMILY**

**Pg 631**

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised this submission has requested the change from Residential Phase 2 to Residential Phase 1. The submission has provided a comprehensive assessment of the subject lands including site location and context, planning history, planning policy context, analysis of projected population growth targets and a justification test. The submission has also suggested that the population allocation for Bearna has been miscalculated based on their analysis and have requested that the current population allocation and quantum of Residential Phase 1 lands be reconsidered.

**Chief Executive's Response:**

Noted. As part of the review of the Bearnan settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 10.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Bearnan is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands to the north of Bearnan village zoned "Residential Phase 2" is acceptable in this instance.

**Chief Executive's Recommendation:**

No Change.

An Comh. O Curraoin advised that he was in agreement with the Kennedy submission. Ms. Loughnane advised that if the Members voted in favour of this submission, R1 lands would have to be identified and reallocated from elsewhere in Bearna in order to keep the Core Strategy figures in-tact. Mr. Dunne brought up map on screen and further advised that a sequential approach to Phase 1 would not be implemented if these lands were rezoned. In response to Cllr. Killilea's query, Ms. Loughnane that this was a large section of land and would not be suitable for infill development. She advised that it was not just a simple crossover of lands as it would affect population figures and the recalculation of the table would be very difficult. In response to Cllr. Killilea's query regarding the definition of Infill and Brownfield sites, Mr. Dunne explained that Infill sites were for 1 or 2 residential units within town centres as an alternative to one-off dwelling. He explained that the area in question here was too large to be considered for an infill development. Cllr. Killilea stated that he had requested this definition previously and was awaiting a definition for same. Mr. Owens advised that the position in relation to a legal definition was sought immediately prior to Christmas and he would follow up on that response. Cllr. Thomas queried what size was this particular site and suggested that it may be a little too far outside the village. Ms. Loughnane stated that infill spaces were spaces between sites and it would not be possible to stretch it out to 3 ½ acres which was the size of this site. She further advised that sequential development had to occur firstly.

***Following a discussion, it was agreed to defer a decision on this submission until meeting on 06/01/2022.***

## **GLW C10-557 – DES FITZGERALD AND MERIEL FITZSIMON**

**Pg 631**

Ms. Loughnane gave an overview on issues raised in the submission and read CE Response & Recommendation.

She advised this submission has focused on and welcomes the references Coastal Amenity Park in the Draft Galway County Development Plan 2022-2028. The submission highlights that the addition of the Coastal Amenity Park will increase the walking area for the community.

Concern has however been raised with regard to the proposed residential infill zoning which is located on top of the Coastal Amenity Park. It is requested that a minimum set back of 30m at all points from the sea walls from Lacklea Boreen to Mags Lane be required.

### **Chief Executive's Response:**

The comments with respect to the Infill Residential Zoning at the **top of the Coastal Amenity Park** and the concerns with regard to this zoning encroachment on the 30 metre setback/amenity park are noted. The 30m setback as required under Policy Objective BMSP 9 – Coastal Setback would need to be adhered to should a planning

application be submitted for these lands. Any proposal which would encroach on this coastal setback would materially contravene the plan. The inclusion of Policy Objective BMSP 9 is considered sufficient to ensure this 30m coastal setback is sufficiently protected.

**Chief Executive's Recommendation:**

No Change.

***Already dealt with under Comh. O'Curraoin's Motion. Noted by Members.***

**GLW C10-589 – RUTH MCDONAGH AND IAN FOLEY**

**Pg 632**

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised that a comprehensive submission has been received which relates to proposed zoning of Town Centre Residential/Infill and has requested that this should be changed to an amenity zoning.

A justification for the proposed change in zoning has been outlined which has raised matters such as the quantum of lands zoned for residential purposes, the site not being an infill site, contrary to the proper planning and sustainable development of Bearna, site encroaches with 30m setback of coastal amenity park as referenced in PO BMSP 9.

The submission has also raised concern with regard to the proposed Town Centre Residential/Infill zoning as it has not been included in the zoning matrix in Section 1.10 of Volume 2.

**Chief Executive's Response:**

Noted.

The Planning Authority consider this subject site to be an infill site due to it being the closest developable site to the east of the centre of the settlement and the proposals for an amenity park to the immediate south (30m setback). The development of these lands with high quality new residential developments at appropriate densities would be in accordance with the requirements of the NPF and would also facilitate the development of this section of the proposed coastal amenity park.

A description of Town Centre Residential/Infill zoning has been included within Section 1.10 of Volume 2 and states the following:

'To facilitate for the provision of high quality new residential developments at appropriate densities within Town Centre sites. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities'.

The Stage 2 SFRA undertaken at Development Plan provides a strategic assessment of flood risk within the town of Bearna in compliance with the 2009 Flood Guidelines. It considers, among other things, available published information on

flood risk. This SFRA has concluded that the subject lands would be suitable for development.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. Murphy and agreed by the Members.***

**GLW C10-635– FREEPORT LANDOWNERS**

Pg 633

Ms. Loughnane gave an overview on issues raised in the submission and read CE Response and Recommendation.

She advised this submission relates to the proposed coastal setback as set out in Policy Objective BMSP 9 Coastal Setback which requires a 30m setback from the site boundary for the linear amenity park between Mags Boreen and the pier. The submission considers that the 30m setback is excessive and a 15m setback would be a more realistic proposition. The submission has requested that Policy Objective BMSP 9 Coastal Setback be amended to replace 30m with 15m.

**Chief Executive's Response:**

It is considered that a general setback of 30m along the coastline is appropriate to ensure that future proposals for the Bearna Coastline is not compromised by reducing this set back to 15m as requested.

**Chief Executive's Recommendation:**

No Change.

***Already dealt with under An Comh. Ó Curraoin's Motion. Noted by Members.***

**GLW C10-651 – PETER O'FAGAN**

Pg 633

Ms. Loughnane gave an overview on issues raised on the submission and read CE Response & Recommendation.

She advised this submission has looked at a number of different topics which are summarised as follows:

- It is requested that engineering solutions to deal with flooding such as culverting of streams and watercourses be included where appropriate similar to DM Standard 27 in the extant County Development Plan 2015-2023.
- The submission has requested that the zoning on their lands be changed from 'Open Space Recreation and Amenity' and 'Constrained Land Use' to 'Town Centre' zoning. An SSFRA which includes engineering solutions has also been submitted in support of this change of zoning.

- In relation to Design it has been requested that the Planning Authority prepare density standards in accordance with Chapter 5 and 6 of the Sustainable Residential Development in Urban Areas (2009) Guidelines.
- The content of DM Standard 32 (a) has been welcomed which relates to car parking.
- The following text is recommended to be inserted into section 3.5.8 to help facilitate the requirements of compact growth, appropriate densities and in particular innovative design principles.

'Facilitate and encourage innovation in order to drive sustainable development, protecting against potential negative impacts. The planning authority welcomes contemporary designs and innovation. In order to facilitate and encourage innovative design solutions the Council will exercise flexibility in the application of the development management standards in instances where high quality design and layout has been demonstrated and subject to the maintenance of privacy and protection of residential amenities'.
- It is requested that the population projections for the county including Bearna are reconsidered and revised upwardly to reflect the likely population growth.
- The submission has requested that Policy Objective BMSP 9 Coastal Setback be amended to replace 30m with 15m.

**Chief Executive's Response:**

- The Flood Risk Guidelines require planning authorities to take a precautionary approach when zoning lands at risk of flooding. Reference to the existing DM Standard 27 in the County Development Plan 2015-2021 is noted. However there is no provision for the Planning Authority to include engineering mechanisms in the consideration of zoning of lands.
- As part of the review of the Bearna settlement plan a Stage 2 Strategic Flood Risk Assessment was carried out. Lands were identified as Open Space/Recreation & Amenity in the plan area as a result of the requirement for open space lands or if subject lands were identified in a flood risk area (A and B).

Having reviewed the details as submitted the Planning Authority are of the opinion that insufficient evidence has been provided to allow for the land use zoning proposed in areas within Flood Zone A/B.

The site-specific flood risk assessment submitted includes mitigation measures as a basis for the zoning proposed. It is not within the scope of the SFRA/Plan preparation process to consider mitigation measures due to the requirements of the Flood Risk Management Guidelines. The proposal for these lands would contravene a key requirement from the Flood Risk Management Guidelines:

"Only when both avoidance and substitution cannot take place should consideration be given to mitigation and management of risks."

The lands proposed to be zoned for inappropriate uses are within Flood Zone A, an area at elevated risk of flooding. The Guidelines require a sequential approach involving firstly to avoid inappropriate development in this area. Exceptions to the restriction of development are only allowed where a detailed Justification Test (taking into account flood risk management measures) is passed. A Justification Test would not be passed in this instance as there are more alternative lands available for town centre/town centre infill/ residential uses in Bearna. As a Justification Test would not be passed consideration cannot be given to the mitigation and management of risk.

- Chapter 3 Placemaking, Regeneration and Urban Living has addressed density. Section 3.6.3 has identified that compact growth is a key component of growth agenda in Ireland up to 2040. The plan encourages higher densities along sustainable transport corridors such as railway lines. Due to different levels of public transport links across the county a balance will have to be struck in applying a fair and realistic level of density that is in keeping with the character of the surrounding area and meets the needs of its residents. The plan therefore proposes that a Density Typology Study will be carried out to establish a strategy for applying the appropriate level of density across the county (see Policy Objective CGR 5 – Typology Study).
- Noted.
- The Draft Galway County Development Plan 2022-2028 includes a suite of Policy Objectives which promotes high quality design and a number of policy objectives support quality design and placemaking. In Chapter 15 Development Management Standards The text as proposed is noted however in this instance it is considered that the plan as proposed facilitate the requirements of compact growth, appropriate densities and in high quality design principles.
- Noted. As part of the review of the Bearna settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 10.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Bearna is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands to the west of Bearna village zoned “Residential Phase 2” is acceptable in this instance.
- The Planning Authority note the comments with regard to reducing the coastal setback from 30m to 15m. The Planning Authority consider that a building setback of 30m is required in order to allow for the development of the coastal amenity park and a seaside promenade, cycleway, children’s playground(s), landscaped amenity space and improved access routes to the local beaches, Bearna Pier and water-based activities.

**Chief Executive’s Recommendation:**

No Change.

***Cllr. Thomas requested that a decision on this submission be deferred until meeting on 06/01/2022 and this was agreed by Members.***

**GLW C10-675 – DECLAN MAHON**

**Pg 637**

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised that a submission has been received which has requested that their lands be changed from ‘Residential Phase 2’ to ‘Residential Phase 1’. A ‘Justification Test’ has been included within the submission to illustrate and support the case for the requested rezoning

**Chief Executive’s Response:**

Noted. As part of the review of the Bearna settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 10.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Bearna is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands to the north west of Bearna village zoned "Residential Phase 2" is acceptable in this instance.

**Chief Executive's Recommendation:**

No Change.

Cllr. Welby stated that it was proposed to change to infill development as it was a very small site of .1347 ha and advised that there was a previous planning on it and would be able to accommodate provision of one dwelling on this site. Mr. Dunne concurred that it was a small site and advised that there was a policy objective to facilitate dwellings for family lands. He explained that infill development was for a limited number of units to accommodate on a limited basis. He stated that he was fearful of Members going down this route and that there would be further queries on this type of infill development. Cllr. Welby stated that this was a tiny site which has previous planning and stated that it would be most suitable as an infill development site.

***The amendment was proposed by Cllr. Welby, seconded by An Comh. O Curraoin and agreed by the Members.***

**GLW C10-714 – AVISON YOUNG**

Pg 637

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised a submission has been received which has requested that their lands be changed from 'Residential Phase 2' to 'Residential Phase 1'. A 'Justification Test' has been included within the submission to illustrate and support the case for the requested rezoning.

**Chief Executive's Response:**

Noted. As part of the review of the Bearna settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 10.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Bearna is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands to the west of Bearna village zoned "Residential Phase 2" is acceptable in this instance.

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.***

## GLW C10 727 – BURKEWAY HOMES

Pg 637

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised this submission has highlighted a recent High Court judgement in relation to Strategic Housing Developments in particular High Court ruling (2019 No. 20 J.R. 21<sup>st</sup> June 2019) which related to an SHD proposal at Trusky East, Bearna. The basis of this ruling has been detailed within the submission which included material contravention of the CDP on the basis of the population allocation within the CDP, the wording of Objective CCF6.

The ruling also made reference to the proposal to include hard infrastructure within the 'Open Space Recreation' zoning and ruled that infrastructure such as bridges, roads and car parking would not be included within 'utilities infrastructure' which would be permitted under the aforementioned zoning.

The submission has requested that the Council take cognisance of this ruling and in particular request the amendment of the zoning matrix to ensure 'Utilities Infrastructure' includes roads, bridges and car parking which are ancillary to and intended to serve a specific residential development.

### Chief Executive's Response:

Noted. The Planning Authority have reviewed this submission and are aware of the High Court ruling (2019 No. 20 J.R. 21<sup>st</sup> June 2019) which related to an SHD proposal at Trusky East, Bearna. The Planning Authority do not consider the content of the submission or of this judgement sufficient rationale to amend the zoning matrix as requested.

### Chief Executive's Recommendation:

No Change.

***The CE Recommendation was proposed by Cllr. McKinstry, seconded by Cllr. Maher and agreed by the Members.***

## GLW C10-778 – ROISIN NI CHAOIMH

Pg 638

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response and Recommendation.

She advised this submission has looked at a number of different topics which are summarised as follows:

Bearna

- The coastline should be protected from over development particular due to the potential for flooding in the coming years.

- The 30 setback as proposed for Bearna village has been welcomed. Coastal paths outside of village areas can be disruptive to local wildlife and do not need to hug the shore.
- Rising sea levels are also a cause for concern in terms of coastal paths

Chapter 2 Core Strategy, Settlement Strategy and Settlement Strategy.

- Legislation on derelict housing should be implemented.
- Restriction should be imposed on short term letting.

Chapter 6 Transport and Movement

- Public transport needs to be more reliable and affordable.
- Greenways offer a great opportunity to widen means of transport. However these should be constructed with local wildlife in mind and their conservation a priority.

**Chief Executive's Response:**

Bearna

- The SFRA undertaken at Plan level provides an appropriately strategic assessment of flood risk within the town of Bearna in compliance with the 2009 Flood Guidelines. It considers, among other things, available, published information on flood risk. This SFRA has informed the zoning of lands for development. All lands have been zoned having regard to the SFRA and the 2009 Flood Guidelines.
- Noted.
- Noted.
- Noted
- Noted

**Chief Executive's Recommendation:**

No Change.

***The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.***

**GLW C10-803 – OAKWAY HOMES**

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised that a submission has been received which has requested that their lands be changed from 'Residential Phase 2' to 'Residential Phase 1'. A 'Justification Test' has been included within the submission to illustrate and support the case for the requested rezoning.

**Chief Executive's Response:**

Noted. As part of the review of the Bearna settlement plan the quantum of Residential Phase 1 lands were examined. There is a requirement of 10.00 hectares of Residential Phase 1 lands. The Planning Authority has zoned accordingly. The quantum of Phase 1 Residential Lands in Bearna is in full compliance with the Core Strategy of the Draft Galway County Development Plan 2022-2028. It is considered the subject lands to the west of Bearna village zoned "Residential Phase 2" is acceptable in this instance.

**Chief Executive's Recommendation:**

No Change.

*The CE Recommendation was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed by the Members.*

**GLW C10-834 – SHANE O'CONNOR**

Pg 640

Ms. Loughnane gave an overview of the issues raised in the submission and read CE Response & Recommendation.

She advised a submission has been received which has requested that the settlement boundary be extended to include their lands and to zone same as 'Residential Infill'. The submission has included a rationale for the proposed boundary extension and zoning including analysis of planning history in close proximity to the site and also compliance with other Draft Galway County Development Plan 2022-2028 provision with respect to 'Residential Infill'.

**Chief Executive's Response:**

Noted. The site proposed is located outside the boundary of the draft settlement plan for Bearna.

There are sufficient residential lands zoned as both phase 1, phase 2 and residential infill lands within the settlement boundary. The site is located a significant distance from the town centre, there are sequentially preferable sites close to the town centre which are zoned as part of this Draft Galway County Development Plan 2022-2028. It would be inappropriate to zone this site for residential development in advance of those sites within the LAP boundary and closer to the town centre.

**Chief Executive's Recommendation:**

No Change.

Cllr. Thomas stated that this site was located across from a residential estate and proposed that it be zoned as an infill site. Ms. Loughnane advised that this would be undermining this policy and she cautioned the Members on going down this route. An Comh. O Curraoin proposed that this site would be zoned residential infill. This was seconded by Cllr. Thomas. Ms. Loughnane again advised that this was not residential infill and cautioned against such a proposal.

***After discussion it was agreed to defer a decision on this submission until 06/01/2022***

**It was agreed to adjourn meeting to 06/01/2022.**

**Chriochnaigh an Cruinniú Ansin**

**Submitted, Signed and Approved**



**Cathaoirleach:** \_\_\_\_\_

**Date:** \_\_\_\_\_ 07/03/2022 \_\_\_\_\_