

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

Thursday 5th May 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, 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, M. Kinane, G. King, P. Mac an Iomaire, M. Maher, E. Mannion, J. McClearn, K. McHugh Farag, A. McKinstry, Dr. E. Francis Parsons, A. Reddington, P. Roche, J. Sheridan, N. Thomas, S. Walsh and T. Welby.

Oifigh: Mr. J. Cullen, Chief Executive, Ms. E. Ruane, Director of Services, Mr. D. Pender, Director of Services, Mr. M. Owens, Director of Services, Ms. J. Brann, Meetings Administrator, Ms. V. Loughnane, Senior Planner, Mr. B. Dunne, A/Senior Executive Planner, Mr. B. Corcoran, Executive Planner, Mr. J. Fleming, Assistant Planner, Mr. L. Ward, Graduate Planner, Ms. A. Power, Senior Staff Officer, Ms. C. Walsh, Assistant Staff Officer and Mr. S. Keady, Clerical Officer

Thosnaigh an cruinniú leis an paidir.

The Cathaoirleach reminded the Members that if at any stage they wished to leave the Meeting, they should advise either him or the Meetings Administrator via the Chat Function on Teams and to do same when coming back into the Meeting.

Cllr. D. Connolly asked to address the Meeting. He stated that it was very significant day for holding CDP meeting on Bealtaine Day and a significant day for the occupied six counties of Northern Ireland. He paid tribute to Bobby Sands as he died on the same date in 1981, noting that it was ironic that the Northern Elections were taking place today also. An Comh. O Curraoin stated his total support with these comments

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and reiterated that it was so important that the struggles of those oppressed in Northern Ireland never be forgotten.

Cllr. Donoghue requested that she be given a moment to speak in relation to Derrybrien Windfarm and that she wished to submit a Specific Local Objection which she hoped for the support of her colleagues on.

Cllr. Byrne stated that while he respected the issue Cllr. Donoghue was raising, he explained that the Members were precluded from discussing this as it was not included in the CDP.

Cllr. Donoghue sought assurance from An Cathaoirleach that she would be afforded an opportunity to speak on the issue at today's Meeting.

Cllr. McClearn stated that this meeting was convened for the purpose of dealing with the CDP and it was not possible to hold a meeting within a meeting. He suggested that following the conclusion of this meeting, then perhaps they could have a Special Meeting to discuss same.

Mr. Owens advised that the agenda for a Special Meeting was for that one item and to deal with that one item only. He explained that it was not possible to introduce a new process or additional new content to the Plan at this stage in the process. He stated that from what was being outlined, this was not a minor modification and would not be permissible.

Mr. Cullen suggested that they would give time at the end of the Meeting to discuss this. This was agreed by the Members.

Item No. 1: To consider the Chief Executive's Report on the Submissions received on Material Alterations 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). 3986

GLW-C20-225 – THE OFFICE OF THE PLANNING REGULATOR

MA RECOMMENDATION 6 – RURAL HOUSING CRITERIA

Ms. Loughnane advised that they go back to Page 38 of CE Report and would move on to RH 2

She advised that they had received text as part of a motion, but the text was not presented in the same format as CE Recommendation is presented. She requested that they come back to this later. She asked that if there were any further submissions/motions on RH 4, that they would be sent in so that they can be put up on screen for the Members to view.

It was agreed to go back to Page 123 of CE Report.

GLW-C20-179 – PLANNING CONSULTANCY SERVICES ON BEHALF OF EASYFIX LTD.

Ms. Loughnane gave an overview of the Submission received as follows:

This submission relates to Material Alterations outlined in Volume 1 of the Draft Galway County Development Plan 2022-2028.

Material Alteration No. 4.12 with respect to Objective RD 1 Rural Enterprise Potential

It is requested that the additional sentence and new wording is amended as follows:

“Development of Cafes, Art Galleries, Hot Desk Facilities etc. which are important for the rural economy. **The Council will also consider the location of Whiskey Maturation Facilities alongside established Rural Enterprise locations and/or former quarry sites.**”

Material Alteration 15.8 with respect to DM Standard 18: Rural Enterprise

It is requested that the additional sentence is amended as follows:

“New buildings will be considered in rural areas for the provision of agricultural related locally sustainable industry. **The Council will also consider the location of Whiskey Maturation Facilities alongside established Rural Enterprise locations and/or former quarry sites.**”

This submission suggests that ‘whiskey is food as far as law is concerned’ yet as its large production methods, it makes it uneconomical to have these facilities located on valuable zoned land in town centres and villages, whereas they would be better suited in rural enterprise locations.

Chief Executive’s Response

It is not considered appropriate to include the additional wording as proposed. It is not considered warranted to include reference to a particular industry i.e., Whiskey Maturation Facilities.

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It is not considered appropriate to include the additional wording as proposed. It is not considered warranted to include reference to a particular industry i.e., Whiskey Maturation Facilities.

Chief Executive's Recommendation

No Change

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

GLW-C20-5 – MARTIN LAVELLE

Ms. Loughnane gave an overview of the Submission received as follows:

This submission relates Material Alteration 6.9 and the proposed amendment of the Policy Objective PH 2 Sustainable Development of Ports, Harbours, Piers and Slipways (It is noted that there is no vision in relation to Blueway Marinas and refers to the marinas in Dingle, Co. Kerry. The proximity of Kinvara to Dublin is noted. The submission proposes that this Material Alteration be altered to include a Blueway of Marinas as follows:

Phase 1 Marina's	Phase 2 Marina's
• Kinvara	• Leenane
• Inishoir	• Clifden
• Roundstone	• Inishboffin
• Spiddle	• Cleggan/Letterfrack
• Barna	• Inishmor
• Carraroe	

Chief Executive's Response

The request to include a list of Phase 1 and Phase 2 Marinas is noted. However, it is considered that this additional wording is not required as the wording associated with Policy Objective PH2 is considered sufficient and would support the development of Marinas throughout the county.

Chief Executive's Recommendation

No Change

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

GLW-C20-221– BRUSCAR BHEARNA TEORANTA

Ms. Loughnane gave an overview of the Submission received as follows:

This submission is in relation to Material Alteration 7.17 in Volume 1 of the Galway County Development Plan 2022-2028. The submission objects to the alteration, as worded, in specific WM 10 Landfill Sites Part (a), which refers to Poolboy landfill, as it would jeopardise the future of the Civic Amenity Site and the site of the proposed Waste Transfer Station in Ballinasloe, both of which are in proximity to the Poolboy landfill site.

The submission outlines the significance of the Barna Recycling Civic Amenity Site. Reference to the Regional Spatial Economic Strategy (RSES) and other policy objectives of the Draft Plan are listed.

There is significant concern regarding the wording “adjacent lands” and it is specifically requested that this wording would be removed as follows:

Galway County Council will put in place a plan during the lifetime of the 2022-2028 County Development Plan for Poolboy Landfill in Ballinasloe to deal with remediation of the Poolboy Landfill site to a standard consistent with the end use of Poolboy Landfill **and 'adjacent lands'** to open space/ park amenity area for community use including community sustainable energy/ climate action measures.

Chief Executive's Response

Noted. During the course of the Council Meeting in December 2021/January 2022, the Elected Members by resolution proposed this new policy objective.

The Chief Executive notes the concerns addressed in the submission in relation to ‘adjacent lands’ as per Policy Objective WM 10 Landfill Sites part (a). The Chief

Executive would also concur with this proposed deletion of the wording “adjacent lands”.

Chief Executive's Recommendation

Omit ‘and adjacent lands’ from Policy Objective WM 10

WM10 Landfill Sites

(a) Galway County Council will put in place a plan during the lifetime of the 2022- 2028 County Development Plan for Poolboy Landfill in Ballinasloe to deal with remediation of the Poolboy Landfill site to a standard consistent with the end use of Poolboy Landfill and 'adjacent lands' to open space/ park amenity area for community use including community sustainable energy/ climate action measures.

(b) Galway County Council will put in place a plan during the lifetime of 2022-2028 County Development Plan for Kilconnell Landfill to deal with the remediation of the Kilconnell Landfill site to a standard consistent with the end use of Kilconnell Landfill to open space / park amenity area for community use including community sustainable energy/ climate action measures.

Cllr. D. Connolly stated that he would be rejecting CE Recommendation. This was seconded by Cllr. Dr. Parsons.

I, Cllr. D. Connolly, propose to reject CE Recommendation in relation to amendment to policy objective WM 10 Landfill sites

Motion was proposed by Cllr. D. Connolly, seconded by Cllr. Dr. Parsons and agreed by the Members.

CHAPTER 14 & LARES – MATERIAL ALTERATION 14.4

Pg 126/127

GLW-C20-11– KATE NI FHLATHARTA

Mr. Dunne gave an overview of the Submission received as follows:

This submission is in relation to the LARES. The submission queries whether the area of Knock South still be considered Acceptable for Wind Energy Development in the 2022-2028 County Development Plan. A map is attached with the submission.

Chief Executive's Response

Submission Noted. The referenced submission lies wholly within the amendment of a 6km buffer zone as adopted by the Elected Members. Accordingly, this area of Knock

South is not zoned as Acceptable for Wind Energy Development based on the Material Alteration 14.4 (Policy Objective RE8 Wind Energy Buffer Zone-An Spidéal to na Minna).

Chief Executive's Recommendation

No Change

The CE Recommendation was proposed by Cllr. McKinstry, seconded by Comh. Mac an Iomaire and agreed by the Members.

GLW-C20-115; GLW-C20-117; GLW-C20-118; GLW-C20-119; GLW-C20-120; GLW-C20-122; GLW-C20-136; GLW-C20-137; GLW-C20-138; GLW-C20-141; GLW-C20-157; GLW-C20-158; GLW-C20-162; GLW-C20-194; GLW-C20-199; GLW-C20-200; GLW-C20-203; GLW-C20-207; GLW-C20-214

Mr. Dunne gave an overview of the 19 Submissions received as follows:

There were a number of submissions (19) in relation to Material Alteration 14.4. The submissions propose an amendment to the wording proposed under Material Alteration 14.4 to Policy Objective RE 8 Wind Energy Buffer Zone – An Spidéal to na Minna, as follows:

It is a policy objective of Galway Council that there would be a buffer of a distance of 6km inland from the coast, where there will be no designation of lands as being either “Acceptable in Principle” or “Open to Consideration” or “Strategic Area” for wind energy development between An Spidéal to na Minna in Cois Fharraige.

Chief Executive's Response

Submission Noted. The proposed Material Alteration 14.4 was proposed by Resolution of the Elected Members during the course of Council Meeting in December 2021/January 2022. The Chief Executive considers that the buffer zone of 6km addresses the concerns of the local residents and due to the density of development in the area, local topography it is considered that the wording as proposed was appropriate. It is now requested to include the wording “Strategic Area” and it is considered that this is an appropriate addition.

Chief Executive's Recommendation

Amend Policy Objective RE8 Wind Energy Buffer Zone – An Spidéal to na Minna.

It is a policy objective of Galway Council that there would be a buffer of a distance of 6km inland from the coast, where there will be no designation of lands as being either

“Acceptable in Principle” or “Open to Consideration” or “Strategic Area” for wind energy development between An Spidéal to na Minna in Cois Fharraige.

In response to An Comh. Mac an Iomaire, Mr. Dunne advised that the wording on map states that it goes from An Spideal to na Minna in Cois Fharraige and the written text takes precedence over mapping.

The CE Recommendation was proposed by An Comh. O Cualáin, seconded by Cllr. McKinstry and agreed by the Members.

GLW-C20-222 – BRENDAN O’BOYLE

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alteration MASP MA1 and Policy Objective GCMA 24 Area Based Transport Assessment part (b), which refers to the removal of the restriction for Bus and Cycle only modes of transport accessing lands from the Parkmore Road in the absence of the Area Based Transport Assessment.

This submission has indicated the opposition of any lifting of a restriction that would lead to an increase in traffic flow in the area.

Chief Executive’s Response

The Area Based Transport Assessment (ABTA) which forms part of Policy Objective GCMA 24(a) was recommended by the Chief Executive. In relation to the wording for part (b) of this policy objective, this was proposed by the Elected Members during the course of the Council Meeting in December 2021/January 2022. As per OPR Recommendation No1 it is considered that the wording relating to part (b) of GCMA 24 would be removed.

Chief Executive’s Recommendation

See OPR Recommendation No.1

This was already dealt with. Noted by the Members.

BAILE CHLAIR

GLW-C20-95; GLW-C20-96; GLW-C20-102; GLW-C20-112; GLW-C20-113; GLW-C20-125; GLW-C20-229; GLW-C20-230; GLW-C20-231; GLW-C20-232; GLW-C20-233; GLW-C20-234; GLW-C20-235

Mr. Dunne gave an overview of the 13 Submissions received as follows:

A number of submissions (13) have been made in relation to MASP LUZ Baile Chláir 1.6. It is stated that there is support for the rezoning of 2.823ha of land as Residential Phase 1 in Lakeview, Baile Chláir.

While the language throughout these submissions differs slightly, the premise of each submission is the support of rezoning of lands at Baile Chláir to Residential Phase 1.

Chief Executive's Response

These lands were zoned Residential Phase 2 as per the Draft Galway County Development Plan 2022-2028. During the Council Meeting in December 2021/January 2022, it was proposed, by resolution, by the Elected Members to rezone these lands to Residential Phase 1. The Chief Executive considers the quantum of lands zoned Phase 1 is in excess of the quantum identified in the Core Strategy. As per OPR Recommendation No.2 it is considered that these lands would revert to Residential Phase 2 as per the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

See OPR Recommendation No. 2.

This was already dealt with. Noted by the Members.

GLW-C20-130 – TOSUAS INVESTMENTS LTD.

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to lands in Baile Chláir and Alteration MASP LUZ Baile Chláir 1.3

Following a review of the Material Alteration and the associated appendices it is considered that there is not sufficient clarity on what this proposed land use zoning altering entails. The submission requests that the adopted development plan provides specific clarity by setting out a zoning objective for this site which states the following or similar, “**Development proposals on the subject lands shall require to be accompanied by a detailed Flood Risk Assessment which accords with the principles of the development management justification test set out in the Planning System and Flood Risk Management Guidelines 2009**”.

Chief Executive's Response

As per OPR Recommendation No.8, in compliance with the Flood Risk Management Guidelines. A footnote will be inserted as follows:

“It is considered that future permissible uses shall be restricted to less vulnerable uses on these lands”

Chief Executive’s Recommendation

See OPR Recommendation No. 8

This was already dealt with. Noted by the Members.

GLW-C20-226 – OISIN KENNY

Mr. Dunne gave an overview of the Submission received as follows:

This submission does not relate to a Material Alteration and relates to lands at Montiagh Road and the N83.

This submission, re-emphasising the suitability of the subject lands for future development and in context of the amendments to the Core Strategy figures within Baile Chláir. The submission states that the subject lands should be re-zoned to Residential Phase 1 or C1 Town Centre as the re-zoning would make a significant contribution towards delivery of the housing targets in the amended Core Strategy Table.

Chief Executive’s Response

Noted. This submission received does not relate to a Material Alteration that was on display. Therefore, the contents of same cannot be considered as part of this stage of the Development Plan process.

Chief Executive’s Recommendation

No Change

Noted by the Members.

GLW-C20-228 – KING CONSTRUCTION

Mr. Dunne gave an overview of the Submission received as follows:

The submission does not specifically reference a Material Alteration however it is in relation to residential lands in Baile Chláir. The submission references a request for the maps and information in relation to the plan through the Construction Industry Federation. The request was seeking clarification in relation to compliance with boundary as per CSO boundary and the total allocation of residential brownfield/infill sites.

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The submission notes the disappointment that there is a live application on Residential Phase 2 lands and these lands have been left zoned Residential Phase 2. There is also reference to flood risk areas and the zoning of lands by Elected Members.

Chief Executive's Response

Noted. The quantum of lands zoned in Baile Chláir as per the Draft Galway County Development Plan 2022-2028 was in accordance with the Core Strategy contained in Chapter 2 Core Strategy, Settlement Strategy and Housing Strategy. Subsequent amendments have been made, which are subject to Material Alterations.

The plan boundary for Baile Chláir is in compliance with the proper planning and development of the area, due diligence was carried in the identification of all lands zoned in the Development Plan.

The request for additional information as outlined in the submission is noted however as per the number of amendments that are subject to Material Alterations the full hectares of proposed changes were outlined in Volume 2 of the Material Alterations document with a table indicating all land use zoning changes. The final version of the Galway County Development Plan 2022-2028 will identify through the Core Strategy the full quantum of lands available for Residential Phase 1 development.

Chief Executive's Recommendation

See OPR Recommendations No.2 & 8

This was already dealt with. Noted by the Members.

BEARNA

GLW-C20-189 – CLLR. ALASTAIR MCKINSTRY

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alteration Bearná MA 1.

The submission disagrees with the proposal to reduce the building setback. It is proposed that this is rejected and amended to 50m, or at least 30m as per the Draft Plan.

The submission outlines a rationale for the setback remaining at 30m or increasing to 50m. The rationale includes details of current research which indicates that sea level is set to rise due to deep ocean warming and icesheet melt and details of the average rate of sea level rise. It is stated that current SFRA guidelines are based on outdated work from the IPCC report AR5 (2013) expecting rise of on average 50cm by 2100 (under high emission conditions). This has been doubled in recent AR6 report (2021)

while an expert assessment in AR6 points to a chance of 2.5m by 2100. Submission notes that a safety-first approach needs to prepare for metres of rise, and 50m setback is a realistic minimum to prepare for.

Submission notes the need for a coastal amenity park along the seashore in Bearn. This would be possible with such a setback but ruled out otherwise.

Chief Executive's Response

The request to increase the building setback to 50m has been considered. It should be noted that the Draft Galway County Development Plan 2022-2028, under Policy Objective BSMP 9 Coastal Setback had indicated a 30m setback. During the Council Meeting in December 2021 /January 2022 the Elected Members, by resolution, amended this policy objective and reduced coastal setback from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate setback distance.

Chief Executive's Recommendation

See Recommendation to Galway City Council submission in relation to Bearn Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-4; GLW-C20-10; GLW-C20-45; GLW-C20-76; GLW-C20-88; GLW-C20-91; GLW-C20-92; GLW-C20-93; GLW-C20-94; GLW-C20-98; GLW-C20-99; GLW-C20-100; GLW-C20-101; GLW-C20-114; GLW-C20-116; GLW-C20-140; GLW-C20-144; GLW-C20-156; GLW-C20-159; GLW-C20-161; GLW-C20-174; GLW-C20-180; GLW-C20-193; GLW-C20-198; GLW-C20-209; GLW-C20-216; GLW-C20-219; GLW-C20-217; GLW-C20-220; GLW-C20-223; GLW-C20-224

Mr. Dunne gave an overview of the 31 Submissions received as follows:

The submissions listed (31) are in relation to Material Alteration Bearn MA 1. These submissions object to the Material Alteration and each submission outlines an argument for their objection, and justification for the increase of the coastal setback at Bearn. While the language differs slightly throughout the submissions, the premise of them is the increase in coastal setback from 15m to 30m.

Chief Executive's Response

The request to increase the building setback to 50m has been considered. It should be noted that the Draft Galway County Development Plan 2022-2028, under Policy

Objective BSMP 9-Coastal Setback had indicated a 30m setback. During the Council Meeting in December 2021 /January 2022 the Elected Members, by resolution, amended this policy objective and reduced coastal setback from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate setback distance.

Chief Executive's Recommendation

See Recommendation to Galway City Council submission in relation to Bearnan Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-12; GLW-C20-30; GLW-C20-47; GLW-C20-52; GLW-C20-53; GLW-C20-71; GLW-C20-75; GLW-C20-89; GLW-C20-123; GLW-C20-152; GLW-C20-153; GLW-C20-154; GLW-C20-163; GLW-C20-187; GLW-C20-166; GLW-C20-188; GLW-C20-208

Mr. Dunne gave an overview of the 17 Submissions received as follows:

The submissions listed (17) are in relation to Material Alteration Bearnan MA 1. These submissions object to the Material Alteration and each submission outlines an argument for their objection, and justification for the increase of the coastal setback at Bearnan. While the language differs slightly throughout the submissions, the premise of them is the increase in coastal setback from 15m. The submissions consider that an alternative setback of 50m from the foreshore boundary wall is essential.

Chief Executive's Response

The request to increase the building setback to 50m has been considered. It should be noted that the Draft Galway County Development Plan 2022-2028, under Policy Objective BSMP 9-Coastal Setback had indicated a 30m setback. During the Council Meeting in December 2021 /January 2022 the Elected Members, by resolution, amended this policy objective and reduced coastal setback from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. In accordance with Section 12.10(c) of the Planning and Development Act 2000, only minor modification can be made at this stage of the Development Plan process, therefore it is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate setback distance.

Chief Executive's Recommendation

See Recommendation to Galway City Council submission in relation to Bearnan Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-63 – KIERAN DEVENISH

Mr. Dunne gave an overview of the Submission received as follows:

This submission raises a number of Material Alterations in Bearna:

Material Alteration 8.7 (TI 7 Bearna Golf Club)

The submission objects to the inclusion of this policy objective because:

1. Will impair the landscape & seascape and conflicts with Material Alteration 8.1
2. Cause irreparable damage to the ecosystem of the blanket bog and natural habitats
3. Would degrade and spoil a lovely natural amenity enjoyed by all.

Material Alteration Bearna MA 1

The submission strongly objects Material Alteration Bearna MA 1 on multiple grounds, summarised as follows:

1. It is contrary to the common good.
2. There was no public consultation with people who are affected by it, even though it will have a significant detrimental effect on the local community.
3. At least 1,600 people have signed a petition objecting to this amendment, instead requesting a setback of 50m from the foreshore boundary wall.
4. Council Members ignored advice given to them by the Council Executive and paid no heed to scientific evidence that the area is vulnerable to flooding. A request by Cllr. Alistair McKinstry to increase the setback to 50m was also ignored.
5. If properties were built within 15m-50m of the foreshore boundary wall, owners will be at significant risk of injury, harm and financial loss caused by flooding and seawater inundation. This could expose the Council to risk of compensation claims from the affected residents.
6. The author has seen several significant storm events that have caused flooding and storm damage to local fields, boundary walls and gardens in places at least 40-50m from the foreshore boundary wall, in the Freeport area. Examples of damage from storms in the local area are further outlined in this submission.
7. Galway County Council will lose an opportunity to develop badly needed public amenities in this area (coastal park/ greenway/ cycleway and such like).

The submission states that the policy objective should be changed to provide for a 50m setback from the foreshore boundary, based on historic and scientific evidence.

Material Alteration MASP LUZ Bearna 2.1 and 2.4

Submission states that if MASP LUZ Bearna 2.1b and 2.4 are allowed to stand, they will facilitate development in areas that were previously designated by the Council to be at flood risk.

Chief Executive's Response

The Material Alteration in relation to the Bearna Golf Club was included in previous County Development Plans (2009-2015, 2015-2021). The Draft Galway County Development Plan 2022-2028 did not include a policy objective for Bearna Golf Club as it was considered that the existing facility was established with the associated golf course. However, during the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution proposed to reinsert the wording for the Bearna Golf Club which is subject to Material Alteration. The Chief Executive considers that this Policy Objective is not required.

The request to increase the building setback to 50m has been considered. It should be noted that the Draft Galway County Development Plan 2022-2028, under Policy Objective BSMP 9 Coastal Setback had indicated a 30m setback. During the Council Meeting in December 2021 /January 2022 the Elected Members, by resolution, amended this policy objective and reduced coastal setback from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate setback distance.

These lands subject to Material Alteration 2.1 & 2.4 were zoned Open Space/Recreation & Amenity in the Draft Galway County Development Plan 2022-2028. During the Council Meeting in December 2021/January 2022 the Elected Members proposed by resolution to amend the zoning of these lands to Town Centre Infill/Residential. It should be noted that a Stage 2 Flood Risk Assessment was carried out on the Draft Galway County Development Plan 2022-2028 relating to zonings. The Stage 2 Flood Risk Assessment identified that these lands were at risk of flooding and was zoned accordingly Open Space, Recreation & Amenity. The Chief Executive is of the opinion that these lands should not be zoned Town Centre Infill/Residential. Therefore, as outlined in the OPR and OPW submission these lands should revert to the zonings as per the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

- See Irish Water Recommendation in relation to Policy Objective TI 7 Bearna Golf Club
- See OPR Recommendation 8 (MASP LUZ Bearna 2.1 & 2.4)
- See Recommendation to Galway City Council submission in relation to Bearna Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-65 – CATHERINE CORCORAN

Mr. Dunne gave an overview of the Submission as follows:

This submission relates to a number of Material Alterations in Béarna:

MASP Material Alteration 2.12

The current social infrastructure in Béarna is inadequate for the projected population growth.

MASP Material Alteration 15.7

Reference to the deficiencies in the sewerage system in Béarna and it is unable to cope with existing needs. Allowing further development without having a functional sewerage system would be against all “Health and Safety” law.

Material Alteration MA1 (BMSP9 Coastal Setback)

The submission objects to the reduction of coastal amenity space in Béarna. Submission notes discussions with Elected Members in relation to this amendment. It is noted that sea level is rising, and storm surges are more frequent, and it would not be right to put buildings with people so close to this danger.

Submission believes that Béarna deserves a similar amenity to that of Furbo, Spiddal, Salthill i.e., a promenade setback from the coast to allow appreciation by all of the coastal seascapes (Material Alteration No. 8.1) and allow biodiversity on the foreshore (Material Alteration No. 10.1 and 10.2).

A link to an RTÉ News piece regarding flooding at Pier Road, Béarna in January 2014 has been attached.

Chief Executive’s Response

The population projections for Béarna as detailed in Chapter 2: Core Strategy, Settlement Strategy and Housing Strategy have been carried out having regard to Census 2016, ESRI figures, the location for the settlement within the metropolitan area of Galway City as designated in the RSES, the population requirements as per the NPF and the RSES.

With regard to the provision of wastewater infrastructure the Chief Executive can confirm that having liaised with Irish Water there is sufficient capacity at Mutton Island to meet the forecasted growth in Béarna.

During the Council Meetings in December 2021 /January 2022 the Elected Members by resolution amended this policy objective and reduced the buffer zone from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate buffer zone

Chief Executive’s Recommendation

See Recommendation to Galway City Council submission in relation to Bearna Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-83 – ALAN DELAHUNTY

Mr. Dunne gave an overview of the Submission as follows:

This submission relates to Material Alteration MASP LUZ 2.1b and 2.4.

The submission states that Material Alteration Bearna LUZ 2.1b and 2.4 should not be included as these areas were previously designated by the Council to be at flood risk.

Bearna MA 1(BMSP 9 Coastal Setback)

The submission strongly opposes the proposal to reduce the building setback to 15 metres from the sea, noting rising sea levels and difficulty insuring a house without added premium for Flood Risk. The submission suggests increasing the setback to 75m or 100m. Issues were discussed in this regard such as visual amenity, coastal amenity park, impact of winter storms, protected views from the R336 under the current Development Plan, greenfield land on the north side of the main Furbo/City road in Bearna where development would be safe from future flooding areas, and, if future development is permitted near the sea, future families may cite this plan if their homes are flooded.

Chief Executive's Response

These lands subject to Material Alteration Bearna LUZ 2.1 & 2.4 were zoned Open Space/Recreation & Amenity in the Draft Galway County Development Plan 2022-2028. During the Council Meeting in December 2021/January 2022 the Elected Members proposed by resolution to amend the zoning of these lands to Town Centre Infill/Residential. It should be noted that a Stage 2 Flood Risk Assessment was carried out on the Draft Galway County Development Plan 2022-2028 relating to zonings. The Stage 2 Flood Risk Assessment identified that these lands were at risk of flooding and was zoned accordingly Open Space, Recreation & Amenity. The Chief Executive is of the opinion that these lands should not be zoned Town Centre Infill/Residential. Therefore, as outlined in the OPR and OPW submission these lands should revert to the zonings as per the Draft Galway County Development Plan 2022-2028.

During the Council Meeting in December 2021 /January 2022 the Elected Members by resolution amended this policy objective and reduced the buffer zone from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate buffer zone

Chief Executive's Recommendation

- See OPR Recommendation 8 (MASP LUZ Bearna 2.1 & 2.4).
- See Recommendation to Galway City Council submission in relation to Bearna Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback).

This was already dealt with. Noted by the Members.

GLW-C20-90 – POBAL BHEARNA COMMITTEE

Mr. Dunne gave an overview of the very comprehensive submission as follows:

This submission has raised a number of issues that relate to Bearn as follows:

Material Alteration 2.12

This submission considers that Table 2.9 Core Strategy 2022-2028 Population Allocation for Bearn (750) contains flaws. The submission outlines a number of anomalies in the Core Strategy Table and indicates instances in which they believe there are errors, with particular reference to Bearn.

Material Alteration 3.5

This submission supports amendment of Policy Objective PM 12.

Material Alteration 6.6

This submission welcomes the amendment to accommodate Park and Stride initiatives in the Bearn, due to the absence of school parking. However, this point should be reinforced by pinpointing a specific Village Centre site.

Material Alteration 6.11

In accordance with the National Disability Inclusion Strategy 2017-2022, this submission strongly supports the amendment to add a new Policy Objective PT8.

Material Alteration 7.14 and 7.15

The submission notes the intention of Material Alteration 7.14 and 7.15 to maximise the collection capacity of foul water systems, however it also notes concern that surface water during periods of high rainfall may contain a significant sewerage content due to a number of factors. Submission notes the absence of water quality monitoring outboard of the malfunctioning Bearn Sewerage Scheme pumping station and storage tanks at Rinn na Mara. It is implied that this oversight severely undermines aspects of the Natura Impact Report, the SEA Environmental Report and the conclusions drawn with respect to land zoning in Bearn in Table 7.6. Concerns are noted regarding pump failures/breakdowns at the Bearn Sewerage Scheme Pump Station.

Material Alteration 8.1

The submission welcomes the vision statement and the inclusion of 'seascapes. The submission noted this addition is relevant for Bearna Village Centre, where tourism could be a significant economic driver.

Material Alteration 8.7

The submission notes the development of tourism and recreational complex at Bearna Golf Club conflicts with Material Alteration_15.18.

Material Alteration 10.1

The submission welcomes the amendment to Biodiversity and Environmental Justice.

Material Alteration 10.2

The submission welcomes the amendment to the Delivery of All Ireland Pollinator Plan.

Material Alteration 11.2

The submission strongly supports the inclusion of Recognised Special Needs.

Material Alteration 11.4

The submission proposes the following amendments to Policy Objective SRA 3 High Quality cycle and walking network **"To facilitate the development of the Oranmore to Bearna coastal cycleway as a major resource for local people and visitors and to assist a quantum shift in commuter behaviour within the MASP away from vehicular transport"**

Material Alteration 13.3

The submission strongly supports the inclusion of Linguistic Impact Statement for housing proposals for two or more houses in Gaeltacht areas.

Material Alteration 14.2

The submission objects the last sentence of Policy Objective FL8 and recommends the following revision: "Application for developments in coastal areas and associated assessments shall also consider wave topping, coastal erosion, **coastal flooding and climate change modelling.**"

Material Alteration 14.3

The submission objects to the amendment as written, however would support the amendment if the wording was revised to "Consult with the OPW in relation to proposed developments in the vicinity of drainage channels and rivers for which the OPW are responsible and retain a **minimum 10 metres** strip on either side of such channels where required, to facilitate maintenance access thereto. In addition,

promote the sustainable management and uses of water bodies and avoid culverting or realignment of these features.”

Material Alteration 15.2

This submission objects to this amendment as written, however would support if the wording in Column 3 of Row 2 of replacement to Table 15.1 to ‘MASP Settlement’ in Town Centre/Infill/Brownfield’ locations is revised to “30 or Site Specific **up to a maximum of 30 with buildings height restrictions defined in Table 3.1.1 Village Core Framework in the Bearna Local Area Plan 2007-2017**’

Material Alteration 15.5

This submission objects to this amendment and prefer the original Draft County Development Plan wording.

Material Alteration 15.17

This submission strongly objects to the inclusion of the sentence “Irish Water is not responsible for the management or disposal of storm water or ground water”. The submission requests it be removed as it will lead to confusion and inefficiencies.

Material Alteration 15.21

This submission supports this amendment for the provision of e-charging points.

Material Alteration Bearna MA 1

The submission strongly objects to Material Alteration Bearna MA 1. The submission provides a rationale for increasing the building setback from 50m on best practice, safety and community development grounds, stating that the wording in the CDP should be revised to state **“Ensure a building setback of 50m from the foreshore boundary wall, between Lacklea and Mags Boreen.”** The submission outlines a number of issues as a rationale for the increased setback.

Material Alteration MASP LUZ Bearna 2.1a

Submission suggests that this zoning is modified to be consistent with a 50m building setback from the foreshore boundary wall, with the 50m setback area zoned as Open Space/Recreation & Amenity.

Material Alteration MASP LUZ Bearna 2.1b

The submission fails to see how the change in zoning from Open Space/Recreation & Amenity to TCI represents good planning practice given that the area sits on top of a flood zone and contradicts the Strategic Flood Risk Assessment guidelines.

Material Alteration MASP LUZ Bearna 2.4

The submission fails to see how the change in zoning from Open Space/Recreation & Amenity to TCI represents good planning practice given that the area sits on top of a flood zone and contradicts the Strategic Flood Risk Assessment guidelines.

Chief Executive's Response

The population projections for Bearna as detailed in Chapter 2: Core Strategy, Settlement Strategy and Housing Strategy have been carried out having regard to Census 2016, ESRI figures, the location for the settlement within the metropolitan area of Galway City as designated in the RSES, the population requirements as per the NPF and the RSES.

Noted.

Noted. Further studies are required in relation to Park and Stride initiatives, and it would not be appropriate to identify specific location.

Noted.

The proposed Material Alteration was as a result of a submission received from Irish Water and that a full analysis of their commentary was taken into account in the formulation of these new policy objectives.

Noted.

The Material Alteration in relation to the Bearna Golf Club was included in previous County Development Plans (2009-2015, 2015-2021). The Draft Galway County Development Plan 2022-2028 did not include a policy objective for Bearna Golf Club as it was considered that the existing facility was established with the associated golf course. However, during the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution proposed to reinsert the wording for the Bearna Golf Club which is subject to Material Alteration. The Chief Executive considers that this Policy Objective is not required.

Noted.

Noted.

Noted.

It is not considered warranted to include the additional wording as requested. The Policy Objective SRA 3 is encompassing all such cycleways and walkways referenced in the submission.

Noted.

Noted. It is considered that the wording is appropriate as per Material Alteration. It should be noted that there is a suite of policy objectives in Chapter 14 Climate Change, Energy and Renewable Energy that references flooding and climate change.

The spirit of the policy objective is to consult with OPW as the statutory agency in dealing with flood risk management and therefore consultation will occur with the OPW in relation to proposed development in vicinity of drainage channels and rivers.

It is considered that the wording as proposed in the Material Alterations 15.2 is appropriate and references site suitability. In addition, there is a new Policy Objective CGR 7 Building Heights included in the Draft Galway County Development Plan which require consultation with key stakeholders in the preparation of a building heights study.

It should be noted that the additional wording was proposed by resolution by the Elected Members during the course of the Council Meetings in December/January 2022. The Chief Executive is of the opinion that the additional wording is not required.

The proposed Material Alteration was as a result of a submission received from Irish Water and that a full analysis of their commentary was taken into account in the modification of DM standard 37: Public Water Supply and Wastewater Collection.

Noted.

During the Council Meeting in December 2021 /January 2022 the Elected Members by resolution amended this policy objective and reduced the buffer zone from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate buffer zone.

The lands subject to Material Alteration 2.1a was zoned Town Centre in the Draft Galway County Development Plan 2022-2028. It was as a result of a Notice of Motion the lands were re-zoned Town Centre Infill/Residential. It is considered that these lands should be zoned Town Centre.

It should be noted that the lands subject to Material Alteration 2.1b was zoned Open Space/Recreation & Amenity based on the Stage 2 Flood Risk Assessment. During the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution amended the zoning on these lands to Town Centre/Infill Residential. The Chief Executive is of the opinion that the rezoning of these lands is not appropriate. The OPR has recommended that these lands would revert to Open Space/Recreation & Amenity.

It should be noted that the lands subject to Material Alteration 2.4 was zoned Open Space/Recreation & Amenity based on the Stage 2 Flood Risk Assessment. During the course of the Council Meeting in December/January 2022 the Elected Members by resolution amended the zoning on these lands to Town Centre/Infill Residential. The Chief Executive is of the opinion that these lands should not be rezoned. The OPR has recommended that these lands would revert to Open Space/Recreation & Amenity.

Chief Executive's Recommendation

- Revert Development Management Standard 8 (Material Alteration 15.5) as per Draft Galway County Development Plan 2022-2028:

- **DM Standard 8: Site Selection and Design**

- The scale, form, design and siting of the development should be sensitive to its surroundings and visually integrate with the receiving landscape.
- Simple design forms and materials reflective of traditional vernacular should be used.
- Have regard to the scale of surrounding buildings. A large house requires a large site to ensure effective integration into its surroundings (either immediately or in the future, through planned screening- Potentially required to be removed)
- A visual impact assessment/**photo montage** may be required where the proposal is located in an area identified as "Protected Views/Scenic Routes" in the Landscape Character Assessment of the County or in Class 3 and 4 designated landscape sensitivity areas.
- The design, siting and orientation of a new dwelling should be site specific responding to the natural features and topography of the site to best integrate development with the landscape and to optimise solar gain to maximise energy efficiency.
- **The siting of new development shall visually integrate with the landscape, utilising natural features including existing contours and established field boundaries and shall not visually dominate the landscape. (Cutting and filling of sites is not desirable). The siting of new development shall visually integrate with the landscape, utilise natural features including existing contours and established field boundaries and shall not visually dominate the landscape. (Cutting and filling of sites is not desirable but may be necessary.)**

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

- Lands subject to Material Alterations 2.1a should revert to Town Centre as per Draft Galway County Development Plan 2022-2028;



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

- See OPR Recommendation 8 (MASP LUZ Bearna 2.1 & 2.4)

This was already dealt with. Noted by the Members.

- See Recommendation to Galway City Council submission in relation to Bearna Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-106 – IAN FOLEY

Mr. Dunne gave an overview of the very comprehensive submission as follows:
A detailed submission was made in relation to Material Alterations.

In relation to Material Alteration Bearna MA 1 to reduce the coastal setback from 30m to 15m, there is significant opposition to this amendment for a number of reasons, summarised below.

1.1 Coastal Flooding and Sea Level Rise

The area is prone to serious coastal flooding. A flood event from 2014 is noted where a fishing boat has been deposited c. 40 metres from the sea wall during a storm and gardens were damaged along the coast and properties flooded. Submission notes that it is inconceivable that the Councillors would ignore professional advice on the matter, and they have a legal obligation not to do so.

1.2 Climate Change

Submission notes that many countries have minimum setback zones, including Germany at 100m, Norway 200m, and Denmark 300m. Article 8 of the ICZM Protocol for the Mediterranean and the 2007-2017 Bearna LAP are referenced, along with frequency of violent storms and storm surges, stating that building up to 15 metres from the sea wall boundary is simply unnecessary, reckless and negligent of the Council Councillors.

1.3 IPCC Report Adaptations

Notes that the report published on 28th February 2022 states that “where coastlines are undeveloped the lowest risk option is to avoid new development.”

1.4 Conflict with BMSP 7 Coastal Amenity Park

Notes Bearna’s unique opportunity to avoid issues encountered in Salthill in trying to retrofit a cycle lane into an existing coastal setback area. 2007-2017 Bearna LAP public consultation highlighted the importance of the coastal zone for Bearna. Reserve sufficient space to allow public amenities to enhance the area and reducing the setback to 15m negates any realistic or meaningful coastal amenity park and conflicts with a stated existing objective in the development plan.

1.5 Rezoning to Amenity/ Recreational Space

The coastal setback zone needs to be fully protected against any developments and should be immediately rezoned.

Material Alteration 8.1 Volume 1

The amendment proposed by Fáilte Ireland is welcomed. Noted that the amended vision statement and inclusion of “seascapes” among the county’s most important assets must be protected. Reference is made to Bearna centre with historic pier and fishing village heritage. The importance of tourism is noted, further stating development within 15m of the foreshore boundary would destroy the character of the village.

1.6 Protection of Biodiversity Habitat and Natural Environment

Many birds and animals use and live in the area including the endangered Curlew.

1.7 Special Recommendation of Chief Executive to Extend Setback to 50 Metres

It is stated that given the new data that has emerged from the IPCC report and the measures for adaptation contained therein, there is legal scope for the Chief Executive to make recommendations for a minimum setback of 50 metres and to rezone the area to Amenity/Recreation Space. Notes a petition organised by SOS Bearna.

It is requested that this amendment is rejected by the Chief Executive. The submission requests that the coastal setback is increased to 50m to protect this area for future generations and from the inevitable effects of sea level rise and climate change.

Chief Executive's Response

The request to increase the building setback to 50m has been considered. It should be noted that the Draft Galway County Development Plan 2022-2028, under Policy Objective BSMP 9 Coastal Setback had indicated a 30m setback. During the Council Meeting in December 2021 /January 2022 the Elected Members, by resolution, amended this policy objective and reduced coastal setback from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Galway County Development Plan 2022-2028 should be re-instated as it is considered that this is an appropriate setback distance.

Material Alteration 8.1

Commentary regarding the support of Material Alteration is welcomed

Chief Executive's Recommendation

See Recommendation to Galway City Council submission in relation to Bearná Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

An Comh. O Curraoin stated that he wished to clarify the fact that landowners were giving the 15m buffer zone in Bearná for free, and now the additional 15m buffer zone was up for negotiation. He stated that there were houses built on the far side of Mag's Boreen 30 years ago, but not across the board. He stated that provided the landowners receive their due compensation, then he had no issue.

GLW-C20-182 – PETER & SEONA O'FAGAN

Mr. Dunne gave an overview of the Submission as follows:

This submission relates to Material Alteration no. MASP LUZ Bearná 2.1a and MASP LUZ Bearná 2.1b.

The submission welcomes MASP LUZ Bearná 2.1a.

The submission supports MASP LUZ Bearná 2.1b however requests that the existing 'C1' Town Centre zoning is added to the northern portion of the landholding. The submission is accompanied by an image clarifying the zoning changes requested. Reference has been made to the submission GLW-C10-651 that was made on the Draft Galway County Development Plan 2022-2028.

Chief Executive's Response

The contents of the submission and the support for the Material Alteration is noted.

The lands subject to Material Alteration 2.1a was zoned Town Centre in the Draft Galway County Development Plan 2022-2028. It was as a result of Notice of Motion the lands were re-zoned Town Centre Infill/Residential.

It should be noted that the lands subject to Material Alteration 2.1b was zoned Open Space/Recreation & Amenity based on the Stage 2 Flood Risk Assessment. During the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution amended the zoning on these lands to Town Centre/Infill Residential.

In relation to the specific request for additional Town Centre lands this did not form part of the request under submission GLW-C10-651 and it would be the recommendation of the Chief Executive that these lands would not be rezoned from Open Space/Recreation & Amenity to Town Centre due to the Stage 2 Flood Risk Assessment. There is no provision at this stage of the Development Plan process to increase the zonings as requested.

Chief Executive's Recommendation

- Lands subject to Material Alterations 2.1a should revert to Town Centre as per Draft Galway County Development Plan 2022-2028;



- See OPR Recommendation 8 (MASP LUZ Bearna 2.1)

This was already dealt with. Noted by the Members.

GLW-C20-215 – A BEARNA BETTER FOR ALL

Mr. Dunne gave an overview of this very comprehensive Submission as follows:

Minutes of Special Meeting held on 5th May 2022

A detailed and comprehensive submission has been made which raise a number of Material Alterations that have been made in Bearna and the Infrastructure Assessment Report:

Bearna MA 1 (BMSP 9 Coastal Setback)

MASP LUZ Bearna 2.1a

MASP LUZ Bearna 2.1b

MASP LUZ Bearna 2.2

MASP LUZ Bearna 2.4

In relation to the Infrastructure Audit there is concern expressed that it does not meet the requirements of the NPF. It is stated that there was no assessment of the pollution problems associated with the Material Alterations.

It is considered that there was no assessment of the Bearna Relief Road.

It was considered that there was an abuse of the democratic process during the Council Meetings and reference to Council Minutes not being available

Reference to Judicial proceedings

Reference to Infill Residential-Extract from Council Meeting of the 5th January 2022 and reference to the legal definitions of Infill.

Chief Executive's Response

Submission noted.

During the Council Meeting in December 2021 /January 2022 the Elected Members by resolution amended this policy objective and reduced the buffer zone from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Galway County Development Plan 2022-2028 should be re-instated as it is considered that this is an appropriate buffer zone.

These lands were zoned Town Centre in the Draft Galway County Development Plan 2022-2028. During the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution rezoned the lands subject to MASP LUZ Bearna 2.1a to Town Centre Infill Residential. It is considered that these lands would revert to Town Centre as per the Draft Galway County Development Plan 2022-2028.

It should be noted that the lands subject to Material Alteration 2.1b was zoned Open Space/Recreation & Amenity based on the Stage 2 Flood Risk Assessment. During the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution amended the zoning on these lands to Town Centre/Infill Residential.

Minutes of Special Meeting held on 5th May 2022

These lands were not zoned as part of the Draft Galway County Development Plan 2022-2028. During the course of the Council Meetings in December 2021/January 2022 the Elected Members by resolution proposed this rezoning of Residential Infill.

It should be noted that the lands subject to Material Alteration 2.4 was zoned Open Space/Recreation & Amenity based on the Stage 2 Flood Risk Assessment. During the course of the Council Meeting in December/January 2022 the Elected Members by resolution amended the zoning on these lands to Town Centre/Infill Residential.

The Material Alterations that were made by the Elected Members were not included in the Infrastructure Audit. It should be noted that the Galway County Development Plan 2022-2028 is subject to a full SEA/AA assessment and in relation to a number of the Material Alterations identified the updated environmental reports have made a number of recommendations on these Material Alterations.

The Bearna Relief Road was permitted under Part 8 (Ref. no. LA 27/06) at a meeting of Galway County Council on the 23rd of October 2006.

The reference to how the meetings were operated and the publication of the minutes does not relate to the Material Alterations.

The reference to judicial proceedings is noted.

The Chief Executive considers the additional Infill residential zonings as per Material Alterations is not in accordance with the proper planning and development of the Bearna area.

Chief Executive's Recommendation

- Lands subject to Material Alterations 2.1(a) should revert to Town Centre as per Draft Galway County Development Plan 2022-2028;



- See OPR Recommendation No.2(MASP LUZ Bearna 2.2)
- See OPR Recommendation 8 (MASP LUZ Bearna 2.1 & 2.4)
- See Recommendation to Galway City Council submission in relation to Bearna Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

GLW-C20-218 GABRIEL MCGOLDRICK

This is same as GLW-C20-215 above. Noted by the Members.

GLW-C20-181 FREEPORT LANDOWNERS

Mr. Dunne gave an overview of this Submission as follows:

This submission relates to Material Alteration Bearna MA 1 (BMSP 9 Coastal Setback). A detailed and comprehensive submission has been made on behalf of the Freeport Landowners which supports the reduction of the setback from 30m to 15m. The submission outlines a concept design for a coastal promenade and cycleway and is accompanied by a sketch concept of the coastal amenity park.

The submission provides a detailed response to a previous submission made on the Draft Plan under GLW-C10-589.

Chief Executive's Response

The contents of the submission have been noted. Whilst it is acknowledged from the submission that there is support from the Material Alteration to reduce the 30m setback to 15m. It should be noted that the Draft Galway County Development Plan 2022-2028 that was published included a setback of 30m from the foreshore field boundary. During the Council Meeting in December 2021 /January 2022 the Elected Members by resolution amended this policy objective and reduced the buffer zone from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone that was included in the Draft Galway County Development 2022-2028 should be re-instated as it is considered that this is an appropriate buffer zone.

Chief Executive's Recommendation

See Recommendation to Galway City Council submission in relation to Bearna Material Alteration MA1 (Policy Objective BSMP 9-Coastal Setback)

This was already dealt with. Noted by the Members.

ORANMORE

GLW-C20-1 GLW-C20-2 GLW-C20-3 GLW-C20-6 GLW-C20-7 GLW-C20-8 GLW-C20-9 GLW-C20-14 GLW-C20-15 GLW-C20-16 GLW-C20-17 GLW-C20-18 GLW-C20-19 GLW-C20-20 GLW-C20-21 GLW-C20-22 GLW-C20-23 GLW-C20-24 GLW-C20-25 GLW-C20-26 GLW-C20-27 GLW-C20-28 GLW-C20-29 GLW-C20-31 GLW-C20-32 GLW-C20-33 GLW-C20-34 GLW-C20-35 GLW-C20-36 GLW-C20-37 GLW-C20-38 GLW-C20-39 GLW-C20-40 GLW-C20-41 GLW-C20-42 GLW-C20-44 GLW-C20-48 GLW-C20-49 GLW-C20-50 GLW-C20-51 GLW-C20-54 GLW-C20-55 GLW-C20-56 GLW-C20-57 GLW-C20-58 GLW-C20-59 GLW-C20-60 GLW-C20-61 GLW-C20-62 GLW-C20-64 GLW-C20-66 GLW-C20-67 GLW-C20-68 GLW-C20-69 GLW-C20-70 GLW-C20-72 GLW-C20-77 GLW-C20-78 GLW-C20-79 GLW-C20-80 GLW-C20-81 GLW-C20-82 GLW-C20-84 GLW-C20-85 GLW-C20-86 GLW-C20-87 GLW-C20-97 GLW-C20-103 GLW-C20-104 GLW-C20-107 GLW-C20-108 GLW-C20-109 GLW-C20-110 GLW-C20-111 GLW-C20-124 GLW-C20-127 GLW-C20-132 GLW-C20-133 GLW-C20-134 GLW-C20-135 GLW-C20-145 GLW-C20-146 GLW-C20-147 GLW-C20-148 GLW-C20-149 GLW-C20-150 GLW-C20-151 GLW-C20-155 GLW-C20-160 GLW-C20-165 GLW-C20-169 GLW-C20-170 GLW-C20-172 GLW-C20-173 GLW-C20-183 GLW-C20-196 GLW-C20-197 GLW-C20-202 GLW-C20-204 GLW-C20-1 GLW-C20-2 GLW-C20-3 GLW-C20-6 GLW-C20-7 GLW-C20-8 GLW-C20-9 GLW-C20-14 GLW-C20-15 GLW-C20-16 GLW-C20-17 GLW-C20-18 GLW-C20-19 GLW-C20-20 GLW-C20-21 GLW-C20-22 GLW-C20-23 GLW-C20-24 GLW-C20-25 GLW-C20-26 GLW-C20-27 GLW-C20-28 GLW-C20-29 GLW-C20-31 GLW-C20-32 GLW-C20-33 GLW-C20-34 GLW-C20-35 GLW-C20-36 GLW-C20-37 GLW-C20-38 GLW-C20-39 GLW-C20-40 GLW-C20-41 GLW-C20-42 GLW-C20-44 GLW-C20-48 GLW-C20-49 GLW-C20-50 GLW-C20-51 GLW-C20-54 GLW-C20-55 GLW-C20-56 GLW-C20-57 GLW-C20-58 GLW-C20-59 GLW-C20-60 GLW-C20-61 GLW-C20-62 GLW-C20-64 GLW-C20-66 GLW-C20-67 GLW-C20-68 GLW-C20-69 GLW-C20-70 GLW-C20-72 GLW-C20-77 GLW-C20-78 GLW-C20-79 GLW-C20-80 GLW-C20-81 GLW-C20-82 GLW-C20-84 GLW-C20-85 GLW-C20-86 GLW-C20-87 GLW-C20-97 GLW-C20-103 GLW-C20-104 GLW-C20-107 GLW-C20-108 GLW-C20-109 GLW-C20-110

GLW-C20-111 GLW-C20-124 GLW-C20-127 GLW-C20-132 GLW-C20-133 GLW-C20-134 GLW-C20-135 GLW-C20-145 GLW-C20-146 GLW-C20-147 GLW-C20-148 GLW-C20-149 GLW-C20-150 GLW-C20-151 GLW-C20-155 GLW-C20-160 GLW-C20-165 GLW-C20-169 GLW-C20-170 GLW-C20-172 GLW-C20-173 GLW-C20-183 GLW-C20-196 GLW-C20-197 GLW-C20-202 GLW-C20-204 GLW-C20-1 GLW-C20-2 GLW-C20-3 GLW-C20-6 GLW-C20-7 GLW-C20-8 GLW-C20-9 GLW-C20-14 GLW-C20-15 GLW-C20-16 GLW-C20-17 GLW-C20-18 GLW-C20-19 GLW-C20-20 GLW-C20-21 GLW-C20-22 GLW-C20-23 GLW-C20-24 GLW-C20-25 GLW-C20-26 GLW-C20-27 GLW-C20-28 GLW-C20-29 GLW-C20-31 GLW-C20-32 GLW-C20-33 GLW-C20-34 GLW-C20-35 GLW-C20-36 GLW-C20-37 GLW-C20-38 GLW-C20-39 GLW-C20-40 GLW-C20-41 GLW-C20-42 GLW-C20-44 GLW-C20-48 GLW-C20-49 GLW-C20-50 GLW-C20-51 GLW-C20-54 GLW-C20-55 GLW-C20-56 GLW-C20-57 GLW-C20-58 GLW-C20-59 GLW-C20-60 GLW-C20-61 GLW-C20-62 GLW-C20-64 GLW-C20-66 GLW-C20-67 GLW-C20-68 GLW-C20-69 GLW-C20-70 GLW-C20-72 GLW-C20-77 GLW-C20-78 GLW-C20-79 GLW-C20-80 GLW-C20-81 GLW-C20-82 GLW-C20-84 GLW-C20-85 GLW-C20-86 GLW-C20-87 GLW-C20-97 GLW-C20-103 GLW-C20-104 GLW-C20-107 GLW-C20-108 GLW-C20-109 GLW-C20-110 GLW-C20-111 GLW-C20-124 GLW-C20-127 GLW-C20-132 GLW-C20-133 GLW-C20-134 GLW-C20-135 GLW-C20-145 GLW-C20-146 GLW-C20-147 GLW-C20-148 GLW-C20-149 GLW-C20-150 GLW-C20-151 GLW-C20-155 GLW-C20-160 GLW-C20-165 GLW-C20-169 GLW-C20-170 GLW-C20-172 GLW-C20-173 GLW-C20-183 GLW-C20-196 GLW-C20-197 GLW-C20-202 GLW-C20-204

Mr. Dunne gave an overview of these Submissions as follows:

A significant number of submissions (99) were received in relation to this Material Alteration (MASP LUZ Oranmore 3.14). All the submissions listed in this section are in support of the proposed Material Alteration and rezoning lands from Residential Phase 1 to Open Space/ Recreation & Amenity. Whilst the submissions are not verbatim of each other, the support of the rezoning and Material Alteration is clear.

The supporting rationale for the rezoning has been outlined:

- Number of housing units which are either in the planning process or under construction in the area;
- The existing open spaces are small and poorly graded. It is noted that residents often have to travel to Renville Park to avail of public amenities there.
- The lands are in close proximity to the Athlone-Galway cycleway, so it can be easily incorporated.
- Another concern raised in the submissions is that many children play on the roads, driveways or small green areas which have been left over for landscaping and this poses a safety risk.
- It is noted that the amenity space would benefit residents of Oranhill as well as the wider community.

Other issues mentioned are:

- Car dependency;
- Shift to remote working;
- The need for a playground or place to walk/play/run or for outdoor sporting activities;
- The subject lands are currently a potential safety hazard;

Chief Executive's Response

- The significant number of submissions received have been noted. The points raised in each of the submissions have been considered. The subject lands were zoned Residential Phase 1 in the Draft Galway County Development Plan 2022-2028. During the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution proposed the rezoning of these lands to Open Space/Recreation & Amenity. The Chief Executive is concerned regarding this rezoning as there is not justification for same with a live planning application on the subject lands. Based on the OPR Recommendation No. 2 it is considered that these lands should revert to Residential Phase 1 zonings as per the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

- See OPR Recommendation No. 2 (MASP LUZ Oranmore 3.14)

This was already dealt with. Noted by the Members.

GLW-C20-46 DARRAGH GUINNANE

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Mr. Dunne gave an overview of this Submission as follows:

This submission objects MASP LUZ Oranmore 3.5 which proposes the rezoning of lands at Oranmore, outside the Plan Boundary, to Residential (Phase 2) and requests that the site be rezoned to Residential (Phase 1).

The submission outlines the reason for this objection due to the site's close proximity to many educational facilities; public utilities and footpath access to Oranmore Town Centre.

The submission requests that the Strategic Flood Risk Assessment Condition be removed from Material Alteration MASP LUZ Oranmore 3.5. According to the submission, this was previously addressed in a planning application from April 2020, in which flooding was deemed "Not Applicable." The flood assessment from the previous planning application is detailed in the submission, including Flood Information tables.

Chief Executive's Response

It should be noted that these lands were not part of the Draft Galway County Development Plan 2022-2028. During the course of the Council Meeting in December 2021/January 2022 the Elected Members by resolution added these lands and zoned them Residential Phase 2

The Chief Executive has concerns regarding the inclusion of these lands into the Oranmore settlement boundary. As per OPR Recommendation No.8 it is considered that these lands should revert to unzoned lands as per the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

See OPR Recommendation No.8(MASP LUZ Oranmore 3.5)

This was already dealt with. Noted by the Members.

GLW-C20-126 SEAN MCDONNELL

Mr. Dunne gave an overview of this Submission as follows:

The submission welcomes the Material Alteration MASP LUZ Oranmore 3.4a & 3.4b which proposes the rezoning of lands at Carrowmoneash, Oranmore from Business & Technology to Business & Enterprise.

Chief Executive's Response

These lands were zoned Business and Technology and Open Space/ Recreation & Amenity in the Draft Galway County Development Plan 2022-2028. The Elected Members by resolution amended the zoning on these lands. It is considered the zoning as per Material Alteration is justified based on the established adjoining business uses.

Chief Executive's Recommendation

No Change.

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

GLW-C20-143 MARK COFFEY

Mr. Dunne gave an overview of this Submission as follows:

This submission states that it is appropriate to have the lands outlined in the submission zoned Recreation and amenity.

The submission states that the site is suitable for this type of development for the following reasons;

1. The site is strategically located at the junction of primary route which serves south and north.
2. Within walking distance of Village core.
3. A Galway Rugby Club has expressed interest in the site for 2 rugby pitches and has support from local bodies.
4. There are currently no other rugby facilities in Oranmore.
5. All services are readily available to this site.

Proposed zoning is consistent with Section 7.3 of the RSES entitled "Healthy Places".

Chief Executive's Response

Noted. This submission received does not relate to a Material Alteration that was on display. Therefore, the contents of same cannot be considered as part of this stage of the Development Plan process.

Chief Executive's Recommendation

No Change

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

GLW-C20-184 ROYKEEL LTD

Mr. Dunne gave an overview of this Submission as follows:

The submission welcomes Material Alteration MASP LUZ Oranmore 3.15a and 3.15b. The submission refers to the Oranmore LAP 2012-2022 in which the entire site was zoned Residential Phase 1 and queries whether there was a mapping error in the Oranmore land use zoning map for Material Alterations as there appears to be an element of Open Space/Recreation & Amenity zoning remaining to the north of the Community Facilities zoning under MASP LUZ Oranmore 3.15a.

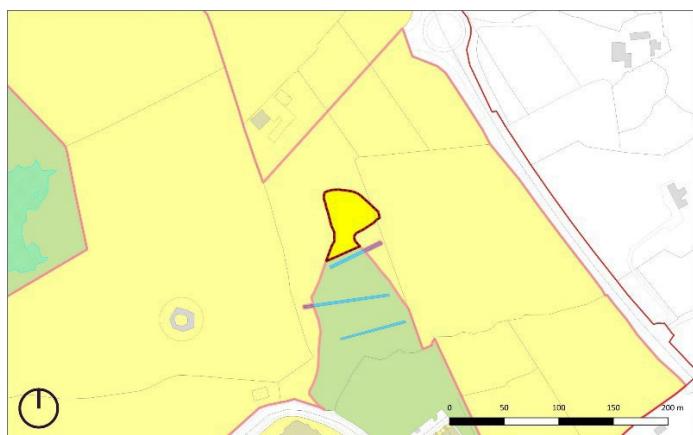
The submission requests that the zoning map is updated to reinstate the Residential Phase 1 zoning in its entirety on this site, removing the area of what appears to be Open Space/ Recreation & Amenity.

Chief Executive's Response

Noted. The lands subject to this Material Alteration significantly reflects the current zoning in the Oranmore LAP 2012-2022. As per the Material Alteration there was reconfiguration of the lands from Open Space/Recreation and Amenity to Community Facilities and the removal of Residential Phase 1 lands. This removal of Residential Phase 1(0.32ha) is positioned underneath the remaining Open Space/Recreation and Amenity lands(0.189ha). The Chief Executive did a review of the Material Alteration and subject lands and notes that there is no increase in zoning of Residential Phase 1 lands at this location. It is considered that the errata of the Open Space/Recreation & Amenity zoning be removed, and the Residential Phase 1 lands clearly illustrated.

Chief Executive's Recommendation

Amend the zoning to reflect the removal of the errata Open Space/Recreation & Amenity to Residential Phase 1.



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

BRIARHILL

GLW-C20-121 – BRIARHILL SCHOOL

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alterations MASP LUZ Briarhill 4.2 & 4.1.

There is concern regarding the configuration of the green corridor and that the amended shape of the green corridor would facilitate one pitch.

The submission states that although the land designations do have similar dimensions in total area (the original Green Corridor measured 5.465 Ha and the newly proposed Green Corridor will be 5.536 Ha) it is considered that this new layout is of a poor configuration.

It is requested to revert to the Draft Galway County Development Plan 2022-2028 in this instance, as it is a much better use of space and much more user-friendly.

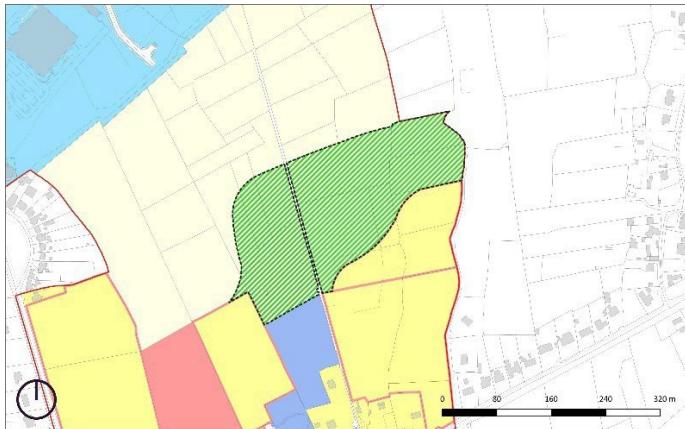
Chief Executive's Response

During the Council Meetings on deliberations on the Draft Galway County Development Plan 2022-2028 in December 2021/January 2022 the Elected Members by resolution amended the configuration of the green corridor. The indicative green corridor has been amended to elongate the corridor from one side of the framework area to the other.

The Chief Executive is concerned regarding this revised configuration. The original layout as per the Draft Galway County Development Plan 2022-2028 of the green corridor was considered appropriate as the development potential of these lands would evolve and would play a fundamental part in the connectivity and all of the different uses envisaged in this area.

Chief Executive's Recommendation

Revert to the configuration and layout of the Green Corridor as per the Draft Galway County Development Plan 2022-2028.



Cllr. Carroll advised that he was proposing for the rejection of CE Recommendation in favour of retention of the Material Alteration. This was seconded by Cllr. Collins.

Cllr. Finnerty proposed they go with CE Recommendation as otherwise it would lead to devaluing of lands in question. He sought clarity from the Forward Planning Team on the matter.

Mr. Dunne clarified for the Members that this was not a zoning and was an indicative green corridor and may move up and down as per the Master Plan. He advised that there will still be a zoning underneath whether it is R1 or R2. He again clarified that this was an indicative green corridor to allow for a certain element of flexibility regarding zoning.

Cllr. Carroll stated that he was happy to go with the configuration and layout of the Green Corridor as per the Material Alteration and reject the CE Recommendation.

The CE Recommendation was rejected by Cllr. Carroll, this was seconded by Cllr. Finnerty and agreed by the Members.

GLW-C20-191 – BRID GARDINER

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alteration MASP LUZ Briarhill 4.1. There is concern raised in relation to the revised configuration of the “indicative green corridor” and the potential connectivity between the nodal centre and the lands subject to Material Alteration MASP LUZ Briarhill 4.2.

It is specifically requested that the green corridor would be retained as per the Draft Development Plan 2022-2028

The submission acknowledges that the original Green Corridor adjoins a school and the provision of a facility adjoining a primary school provides benefits for future generations of the area as it allows scope for playing pitches etc. It is stated that the current proposal for a narrow site with roads nearby would present safety concerns for parents in the area. It is considered that the indicative Green Corridor as per Material Alteration MASP LUZ Briarhill 4.1 cannot achieve the level of amenities being provided to the local community as these would not be possible within a long narrow corridor. It is requested that the original plan relating to the Green Corridor of one block be restored as per Draft Galway County Development Plan 2022-2028.

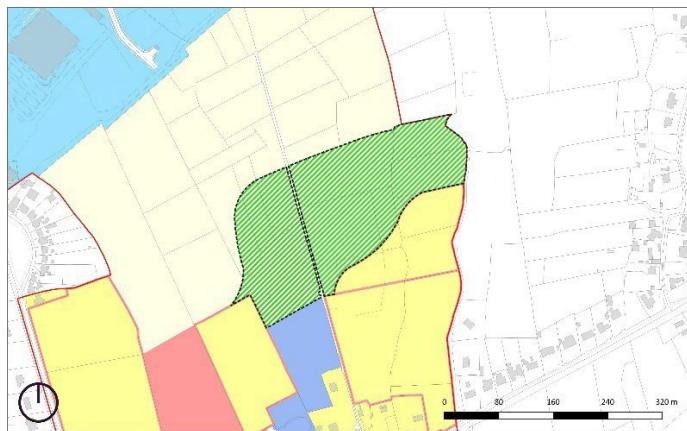
Chief Executive's Response

During the Council Meeting on deliberations on the Draft Galway County Development Plan 2022-2028 in December 2021/January 2022 the Elected Members by resolution amended the configuration of the green corridor. The indicative green corridor has been amended to elongate the corridor from one side of the framework area to the other.

The Chief Executive is concerned regarding this revised configuration. The original layout as per the Draft Galway County Development Plan 2022-2028 of the green corridor was considered appropriate as the development potential of these lands would evolve and would play a fundamental part in the connectivity and all the different uses envisaged in this area.

Chief Executive's Recommendation

Revert to the configuration and layout of the Green Corridor as per the Draft Galway County Development Plan 2022-2028:



This was already dealt with. Noted by the Members.

GLW-C20-205 – AINE O DONNCHADHA

Mr. Dunne gave an overview of the Submission received as follows:

The submission relates to Material Alteration MASP LUZ Briarhill 4.1. The submission acknowledges the Council's approach to the provision of an Indicative Green Corridor and the underlying zoning of the lands to facilitate flexibility in the next phase of the process i.e., development of a Masterplan for the Briarhill area. The submission requests the following:

- That Galway County Council commit to the reallocation of Residential Phase 1 lands to the location identified in the event that the positioning of the Indicative Green Corridor is formalised as part of the Master Plan process.

That Galway County Council confirm that there will be consultation on the Briarhill Master Plan and specifically with the Briarhill landowners.

Chief Executive's Response

Submission noted. The purpose of the Green Corridor is indicative and as the development of these lands progresses a full review of all developable lands will occur.

As the Briarhill Framework plan evolves and subsequent Masterplans are developed full consultation with all landowners and statutory stakeholders will take place.

Chiefs Executive's Recommendation

No Change

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

GLW-C20-175 – MARTIN COYNE

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to the Proposed Material Alteration No's MASP LUZ Briarhill 4.2 & 4.1. The submission requests the following zoning changes for two tracts of land, Parcel A and Parcel B:

- 1) Material Alteration MASP LUZ Briarhill 4.2: It is requested to Rezone 1.48ha of land identified as Parcel A from R- Residential Phase 1 to R-Residential Phase 2. As a conquest it is requested to rezone 1.8ha of land identified as Parcel B from Residential Phase 2 to Residential Phase 1.
- 2) Material Alteration MASP LUZ Briarhill 4.1: It is requested that the Land Use Zoning Map is updated to clarify that the "Indicative Green Corridor" is not a zoning category.

This submission covers a variety of sub-topics all relating to the justification of this rezoning of lands. The submission is accompanied by maps indicating Parcel A & B.

Chief Executive's Response

The request for rezoning lands as per the submission relating to Material Alteration 4.2 has been examined and it is considered that the configuration of Residential Phase 1 and 2 as per the Material Alterations is considered appropriate and reflects the aspirations of the Briarhill Framework. Therefore, it is considered that the configuration of lands should not be amended.

In relation to Material Alteration 4.1 the indicative Green Corridor is indicative and as such is not a zoning.

Chief Executive's Recommendation

- No Change to Material Alteration MASP LUZ Briarhill 4.2
- In relation to Material Alteration 4.1 Footnote to be included as follows:

The Indicative Green Corridor is not a Land Use zoning.

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

OUGHTERARD

GLW-C20-185 – HYMAN PROPERTIES LTD.

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to lands in Oughterard and Material Alteration SGT LUZ Oughterard 9.3 and 9.2.

In relation to Material Alteration SGT LUZ Oughterard 9.3 this additional zoning of Residential Phase 1 lands is welcomed however it is queried as to the inclusion of the "Strategic Flood Risk Assessment Notification" to the Plan. According to the Galway County Development Plan, the OPW Catchment Flood Risk Assessment for Oughterard, and the OPW's Western CFRAM Mapping, there is no flood risk on this portion of the subject lands. It is stated that they are unaware of any recent flooding at this specific location. For these reasons, the submission requests that the "Strategic

Flood Risk Assessment Notification" be removed from the area of land behind Scoil Chuimín & Caitríona.

In relation to Material Alteration SGT LUZ Oughterard 9.2, this submission acknowledges that the alteration calls for the subject lands to be downzoned from Residential Phase 1 to "Open Spaces/Recreational and Amenity," as well as the inclusion of the "Strategic Flood Risk Assessment" Notification designation. The submission has requested that the subject lands have a zoning objective that allows vehicular access to the landholding via Glann Road. This additional objective will aid in the beneficial development of the larger landholdings at this Residential Phase 1 zoned location.

Chief Executive's Response

In relation to Material Alteration 9.3, these lands were not zoned or within the Draft Galway Development Plan 2022-2028. During the Council Meeting in December 2020/January 2021, the Elected Members by resolution zoned these lands Residential Phase 1. There is reference to the "Strategic Flood Risk Assessment Notification" is required as it is unclear as to the access arrangements of these lands and these are adjacent to a flood zone.

In relation to Material Alteration 9.2 these lands were initially zoned Residential Phase 1 lands by the Elected Members at the Draft Plan stage. There was an amendment by the Elected Members during the consideration of submissions received on the Draft Plan and these lands were zoned Open Space/ Recreation & Amenity to address the flood risk element on these lands

Chief Executive's Recommendation

No Change (Please note the whilst the comments made by the submitter are acknowledged, a number of Material Alterations are inextricably linked, and any alteration would impact on the R1 Allocation in the Core Strategy).

Cllr. Thomas stated that he had no issue with the MA 9.2 because this was in a flood risk zone. However, he stated that he had an issue with MA 9.3 because there was no flooding on this site. He stated there were other access points to the site which do not require the use of the site which was within the Flood Risk Zone. He stated that to zone this site thus was unfair and requested its removal as it was not warranted in this instance.

Mr. Dunne explained that the removal of a hazard symbol was not straight forward and advised that the Plan could be seriously compromised by making amendments such as this. He advised that the lands were still zoned R1 but there was an issue with the access arrangements to the site. He stated that while he appreciated the views of Cllr. Thomas, flood risks must be indicated. He explained that from a Forward Planning

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perspective and in line with the requisite guidelines, the Planning Team must undertake due diligence to identify that there may be a possible issue with flooding. As such the notice must remain on site, as the alert system ensures that the due diligence has been provided and undertaken. He stated that the access arrangements were not clear in this instance, this parcel of land was landlocked, and its access points may be liable to flooding. He brought up a map of the site in question on screen to highlight the concerns raised.

Cllr. Thomas advised that he wished to put the motion to a vote and that the issue raised would be dealt with at planning application stage. Mr. Dunne advised that the plan could be compromised by removing it, and as such, further consultation with their Environmental Consultants was necessary. He reiterated that Cllr. Thomas' motion was in contravention of Flood Risk Guidelines as well as CE Recommendation. Ms. Loughnane reiterated points made by Mr. Dunne, stating that it was quite possible that even if Cllr. Thomas' motion was passed, that the Forward Planning Environmental Consultants may insist on its inclusion in the Plan and as such, she stated that the issue was out of the Members and Planners' control.

Cllr. Thomas advised that there were other access options available, and the Developer was dealing with those presently.

Cllr. Thomas submitted the following Motion:

I, Cllr. Thomas, propose that the Strategic Flood Risk notification be removed from this land.

Cllr. McKinstry stated that he would be opposed to this Motion and proposed to accept CE Recommendation. Cllr. McClearn stated that he would be seconding Cllr. McKinstry's proposal.

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

For: 20

Cllr. Byrne	Cllr. Canning	Cllr. M. Connolly
Comh. O Cualáin	Cllr. Curley	Comh. O Curraoin
Cllr. Dolan	Cllr. Donohue	Cllr. Finnerty
Cllr. Geraghty	Cllr. Herterich Quinn	Cllr. Hoade
Cllr. C. Keaveney	Cllr. Killilea	Cllr. King
Comh. Mac an Iomaire	Cllr. McHugh Farag	Cllr. Sheridan
Cllr. Thomas	Cllr. Walsh	

Against: 5

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Cllr. Mannion
Cllr. Reddington

Cllr. McClearn
Cllr. Welby

Cllr. McKinstry

Abstain: 10

Cllr. Broderick
Cllr. D. Connolly
Cllr. Kelly
Cllr. Parsons

Cllr. Carroll
Cllr. Charity
Cllr. P. Keaveney

Cllr. Collins
Cllr. Cuddy
Cllr. Kinane

No Reply: 4

The Cathaoirleach declared the motion carried.

GLW-C20-128 – PADRAIC AND SANDRA TIERNEY

Mr. Dunne gave an overview of the Submission received as follows:

The submission relates to lands in Oughterard and subject to Material Alteration SGT LUZ Oughterard 9.4. The submission welcomes the alteration and requests that LUZ Oughterard 9.4, zoning of lands at Glann Roads as “Residential Infill”, is adopted in the Development Plan.

Chief Executive’s Response

In relation to Material Alteration SGT LUZ Oughterard 9.4, these lands were not zoned or within the Draft Plan Boundary. During the course of the Council Meeting in December 2021/January 2022, the Elected Members proposed these lands to be zoned. The Chief Executive considers that these lands should not be zoned Residential Infill or included in the Oughterard Small Growth Town boundary.

Chief Executive’s Recommendation

See OPR Recommendation No.2(SGT LUZ Oughterard 9.4)

This was already dealt with. Noted by the Members.

PORTUMNA

GLW-C20-176 – PAT AND MARIAN TREACY

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alteration SGT LUZ Portumna 10.3. The Material Alteration is welcomed however the submission notes that it does not recognise the development potential of the overall land (0.8ha) to which their submission on the Draft Plan related. The submission is accompanied by maps indicating the entire landholding and requests that an adjustment be made to the extent of the land zoned 'Residential (Infill)'.

The submission provides a justification for the zoning of these lands, including strategic location, Draft Development Plan Guidelines (2021) which refer to the ability of Councils to avail of 'Additional Provision' of residential zoned lands in each settlement (this provision shall not exceed 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole). The submission outlines a justification to apply this 'Additional Provision' to the 0.8ha site in Portumna. Submission clarifies that they are requesting an extension to the 'Residential (Infill)' zoning.

Chief Executive's Response:

Noted. These lands were zoned Residential Phase 2 in the Draft Galway County Development Plan 2022-2028. During the Council Meeting in December 2021/January 2022 the Elected Members proposed by resolution to change the zoning from Residential Phase 2 to Infill Residential. The Chief Executive agreed in principle to change the zoning on the lands subject to Material Alteration SGT LUZ Portumna 10.3 from Residential Phase 2 to Residential Infill. The request for the increase of additional zonings at this location is contrary to Section 12(10) of the Planning and Development Act 2000(as amended).

Chief Executive's Recommendation:

No Change

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

AN CHEATHRU RUA

GLW-C20-192 – GRUPA POBAIL CEIBH AN tSTRUTHAIN

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alteration RSA LUZ 19.1 Sruthán Quay. The submission strongly urges the adoption of the proposed alteration. Appendix A and Appendix B to the submission support the adoption of this amendment.

The submission notes there is an error in An Cheathrú Rua settlement plan. The submission states that Section 12.3.3 of An Cheathrú Rua settlement plan references An tSean Chéibh while there is no mention of Céibh an tSrutháin.

Chief Executive's Response

The subject lands were not zoned in the Draft Plan as during the course of the Council Meeting in December 2021/January 2022, the Elected Members by resolution zoned these lands Open Space, Recreation & Amenity. The Chief Executive considers that there is no justification for the zoning of these lands as they are remote and isolated from the village centre. This Material Alteration is not supported by the Planning Authority.

Chief Executive's Recommendation

See OPR Recommendation No. 9

This was already dealt with. Noted by the Members.

GLW-C20-201 – GRUPA POBAIL CEIBH AN tSTRUTHAIN

This submission is same as GLW-C20-192 above. Noted by the Members.

GLW-C20-195 – GRUPA POBAIL CEIBH AN tSTRUTHAIN

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to a 100m setback for all new wastewater treatment plants in An Cheathrú Rua. It further highlights that there is plenty of evidence for “established planning justification for this amendment”.

The submission urges the adoption of a similar provision for An Cheathrú Rua as proposed.

The submission highlights Galway’s previous record on 100m buffer zones, which were established ‘from the site’ ‘to provide and protect’ in the previous Local Area Development Plans for villages and towns in County Galway, such as Gort, Tuam etc.

Chief Executive's Response

The reference to Policy Objective WW9 Municipal Wastewater Treatment Plant in An Cheathrú Rua and the 100m buffer is not subject to a Material Alteration as this policy objective was published as part of the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

No Change

In response to a query from An Comh. O Cualáin, Mr. Dunne advised that as the 100m buffer was not subject to a Material Alteration and was still contained within Draft Development Plan. He further advised that a detailed submission had been made by Irish Water with regards to it.

The CE Recommendation was proposed by An Comh. O Cualáin, seconded by Cllr. McKinstry and agreed by the Members.

AN SPIDEAL

GLW-C20-177 – JOE HYNES

Mr. Dunne gave an overview of the Submission received as follows:

This submission relates to Material Alteration SGV LUZ An Spidéal 12.1 and 12.2.

The submission notes that the rezoning makes little to no use of the existing infrastructure i.e., estate road and services in respect of the Ard na Speire development. The submission includes a map and has outlined a further area in red as alternative for zoning of additional lands.

Chief Executive's Response

Noted. The Chief Executive does not consider the zoning proposed under SGV LUZ An Spidéal 12.1 and 12.2 to be appropriate. Under Material Alteration SGV LUZ An Spidéal 12.1 the lands have been zoned Open Space/Recreation and Amenity and under SGC LUZ An Spidéal 12.2 the lands have been zoned Residential Infill. These lands were not included or zoned in the Draft Galway County Development Plan 2022-2028. During the Course of the Council Meeting in December 2021/ January 2022, the Elected Members by resolution included these lands in the settlement boundary and zoned Open Space/Recreation & Amenity and Residential Infill. The indication that alternative lands should be zoned is noted, the request for the increase of additional zonings within the settlement boundary is contrary to Section 12(10)(c) of the Planning and Development Act 2000 (as amended). The Chief Executive considers that the land subject to Material Alterations SGV LUZ An Spidéal 12.1 and 12.2 is not appropriate and in line with the OPR Recommendation on the Material Alteration 12.2 should revert to unzoned lands.

The OPR has recommended that the lands subject to Material Alteration 12.2 would revert to the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

- Remove lands subject to Material Alteration SGV LUZ 12.1 to unzoned lands as per Draft Galway County Development Plan 2022-2028:



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

- See OPR Recommendation No. 2 (Material Alteration SGV LUZ 12.2)

This was already dealt with. Noted by the Members.

GLW-C20-212 – JOE HYNES

This submission is same as GLW-C20-177 above. Noted by the Members.

GLW-C20-213 BAILE BHRUACHLAIN TEORANTA & BAILE EAMOINN TEORANTA

Mr. Dunne gave an overview of the Submission received as follows:

A comprehensive submission was received which refers to Material Alteration in Maigh Cuilinn, An Spidéal and An Sruthan Quay.

Material Alteration 8.5a, 8.5b and 8.5c

The support of Material Alteration No's. 8.5a, 8.5b and 8.5c is expressed and reference to sequential development and the proper planning and sustainable development of Moycullen.

Material Alteration 8.5d Maigh Cuilinn

It is queried as to the rezoning of lands such as under Material Alteration 8.5d from Agricultural to Residential Phase 1. The submission has been accompanied with a map highlighting other available lands which are sequentially closer to the centre of Maigh Cuilinn and more appropriate for residential development in the interest of proper planning and sustainable development. It is noted that the submission believes Material Alteration 8.5d is not in accordance with the principles of Compact Growth or Draft Development Plan Guidelines 2021. In addition, the submission provides justification as to why this alternative zoning is more appropriate due to access to utilities, Irish Water connections and lands being within closer proximity to the town centre. Ultimately, the submission requests that Residential (Phase 1) lands for Maigh Cuilinn are further reconsidered with more appropriate lands already zoned, and the principles of sequential development, compact growth and proper planning and sustainable development are applied to the future residential development of lands with the town of the emerging plan period.

Material Alteration SGV LUZ An Spidéal 12.2 and 12.3

There is concern expressed in relation to Material Alteration SGV LUZ An Spidéal 12.2 and 12.3. The submission makes reference to sequential development and compact growth of the An Spidéal, suggesting that sites which are contiguous to the villages centre on serviced or serviceable lands are developed ahead of lands which they consider to be less appropriate including in 12.2 and 12.3.

In the submission there is reference to lands in An Spidéal village removed from these lands subject to the Material Alteration. It is requested that these lands would be zoned village centre.

Material Alteration RSA LUZ Sruthán Quay 19.1

This submission welcomes the rezoning of lands at Sruthán Quay. However, the submission has concerns over the proposed designation of 'OS' – Open Space element of the zoning, with the overall zoning being 'OS' – Open Space, which the submission considered to be wholly inappropriate at this location as currently shown in the draft maps. The submission has outlined reasons for the lands to be rezoned to a more appropriate 'T' – Tourism given the unique cultural heritage of the Quay area and the current live application for a multiuse facility to include Tourism uses.

Chief Executive's Response

Noted.

In relation to Material Alterations referenced (8.5a, 8.5b and 8.5 c) in Maigh Cuilinn the Chief Executive agreed with these rezonings based on reconfiguration of lands.

These lands were reviewed as part of the deliberations on submissions received on the Draft Galway County Development Plan and the Chief Executive considers that it

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was appropriate to propose this change in zoning. These lands are in close proximity to additional residential developments.

The indication that alternative lands should be zoned is noted, the request for the increase of additional zonings at this location is contrary to Section 12(10)(c) of the Planning and Development Act 2000(as amended).

Under Material Alteration SGV LUZ An Spidéal 12.2 the lands have been zoned Residential Infill and under SGC LUZ An Spidéal 12.3 the lands have been zoned Residential Infill. These lands were not included or zoned in the Draft Galway County Development Plan 2022-2028. The Chief Executive does not consider the zoning proposed under SGV LUZ An Spidéal 12.2 and 12.3 to be appropriate.

The subject lands were not zoned in the Draft Galway County Development Plan 2022-2028. These lands are removed from the settlement boundary of An Cheathrú Rua. During the course of the Council Meeting in December /January 2022, the Elected Members by resolution zoned these lands Open Space, Recreation & Amenity. The Chief Executive considers that there is no justification for the zoning of these lands as they are remote and isolated from the village centre. It is considered that these lands should not be zoned as per Material Alteration RSA LUZ Sruthán Quay 19.1.

Chief Executive's Recommendation

- See OPR Recommendation No.2 (Material Alteration SGV LUZ 12.2)

This was already dealt with. Noted by the Members.

- Land subject to Material Alteration 12.3 (See Irish Water Recommendation) & Material Alteration 12.4 revert to unzoned lands as per Draft Galway County Development Plan 2022-2028:

Material Alteration 12.4



The CE Recommendation was proposed by Cllr. Reddington, seconded by Cllr. McHugh Farag and agreed by the Members.

- See OPR Recommendation No.9 (Material Alteration RSA LUZ Sruthán Quay 19.1

This was already dealt with. Noted by the Members.

RSA LUZ GALWAY AIRPORT 17.1

GLW-C20-129 – TIMBLETRON

Mr. Dunne gave an overview of the Submission received as follows:

The submission relates to lands subject to Material Alteration RSA LUZ Galway Airport 17.1. It is requested that these lands at the former Steiner Premises, Carnmore as 'Business & Enterprise' is adopted in the Development Plan.

Chief Executive's Response

In relation to Material Alteration RSA LUZ Galway Airport 17.1 these lands were not zoned or included in the Draft Galway County Development Plan 2022-2028. The Elected Members by resolution zoned these lands during the Council Meeting in December 2021/ January 2022. The OPR has recommended that these lands would revert to unzoned lands as per Draft Galway County Development Plan 2022-2028. During the course of the Council Meeting in December 2021/January 2022, these lands were proposed by resolution by the Elected Members to be zoned. The Chief Executive is concerned regarding the zoning of these lands removed from any settlement boundary. Based on the OPR Recommendation no. 7 it is considered that these lands were revert to unzoned lands as per Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation

See OPR Recommendation No.7 (RSA LUZ Galway Airport 17.1)

This was already dealt with. Noted by the Members.

IT WAS AGREED TO GO BACK TO PAGE 38 AND TO DEAL WITH POLICY OBJECTIVE RH 2

GLW-C20-225 – THE OFFICE OF THE PLANNING REGULATOR

MA RECOMMENDATION 6 – RURAL HOUSING CRITERIA

(i) MA 4.3 – Policy Objective RH 2

Ms. Loughnane advised that there were motions in from Cllr. Geraghty and Cllr. Byrne.

Cllr. Byrne sought to clarify the differences between his motion and Cllr. Geraghty's motion. He advised that in his motion, there was a clear differentiation made between RH 1 and RH 2 as they should be fundamentally different. He stated that the Cllr. Geraghty's submission sought for the retention of the Urban Fringe in 1(b) as well as leaving it at 10 years in 1(c). Cllr. Welby enquired if both Cllrs. Geraghty and Byrne's motion could be dealt with as a unified single motion. Cllr. Mannion stated that there was a lot to consider here, and that perhaps further examination was needed by the Members.

It was agreed to send on motions to all Members to give them an opportunity to look at them during lunch break. It was also agreed to circulate RH 4 motion to Members.

It was agreed to defer decision on RH 2 until after lunch to give time to Cllrs. Geraghty and Byrne to agree a joint motion.

(i) MA 4.4 – Policy Objective RH 4

In relation to Cllr. Geraghty's proposal on RH 4, Cllr. Welby queried whether it addressed urban generated housing out of settlements/nodes. He stated that he was aware of legal opinion from a very eminent legal practitioner who stated that places/areas without defined boundaries cannot be deemed urban. He sought clarity as to whether urban generated housing would come into play in this instance. He stated that his understanding was that where there was no town boundary area, that this can be clarified as urban, and therefore a person cannot be refused based on urban generated rural housing. He again asked for clarity on the matter.

In response, Ms. Loughnane advised that she was not aware of the legal opinion referred to and stated that it may be tailored to a particular planning application. She stated that at the end of the day, those smaller settlements were not entitled to planning and stated they needed to be careful of getting into nitty gritty of urban generated rural housing. She stated that these were always considered rural settlements and a problem may be created here by being too prescriptive.

Cllr. M. Connolly gave examples of Mountbellew and Castleblakeney and queried how these might be affected. Ms. Loughnane advised that it was hoped to include

Mountbellew as a Small Growth Town, however it could not be designated as there was inadequate services there presently. She advised the Members that in 2021 81% of all planning applications for one-off rural housing were granted for the county. She stated that from January-March 2022, 78% of all planning applications that had come through for one-off rural housing were granted planning permission. She sought to reiterate to the Members that the Galway County Council's percentage rate for granting of one-off rural housing was very high and among the highest in the country.

Cllr. Thomas stated that people were regularly getting turned down for planning permission in small settlement areas because of urban generated housing and the Members wished to provide certainty to those who submit planning applications.

Cllr. Dr. Parsons, referring to the proposed inclusion of Mountbellew as a small growth town, queried that when the service needs were addressed, would it be looked at again when Mid Term Review was being carried out or would it be the next Development Plan. In response, Ms. Loughnane advised that there would be a review of policy objectives at Mid Term Review, along with an examination of census data which would be available by then. She stated that the timeframe would be based on when town was adequately serviced and affirmed that it would be as soon as possible.

Cllr. Sheridan sought clarity if that included movement within settlements arising out of Mid Term Review. Ms. Loughnane stated that the purpose of the midterm evaluation was to assess the performance of the policy objectives and that any population projections would have to be made following receipt of the census data.

An Comh. O Cualáin queried if the rate of refusals were available per Municipal Area. Ms. Loughnane advised that those figures could be broken down and circulated as requested.

Meeting broke for Lunch and reconvened at 2.15 p.m.

Ms. Loughnane advised that the joint motion from Cllrs. Byrne and Geraghty had been submitted. She further advised that a further motion was received from Cllr. Geraghty that was in a different format to that included in CE Report. She stated that it was very frustrating to try and figure out what was being proposed. She invited Cllr. Geraghty to explain what he was proposing.

Cllr. Geraghty apologized for all the confusion he may have caused. He advised that there was not a lot of difference between the two motions, and he meant no disrespect to Cllr. Byrne or to any other Member with his actions. He stated that his new proposal only contained two changes to the original one sent in.

Ms. Loughnane advised that these were not the only changes made to the original motion that was received. She stated that it had come back in the wrong format thus making it more difficult for the Members to relate to. She explained that the Planning Team would need further time to format and examine the new proposal.

Cllr. Geraghty stated that he was withdrawing his joint motion with Cllr. Byrne.

Cllr. Mannion stated that they had just gotten the wording of the joint motion and Cllr. Geraghty was now coming in with a different proposal at this stage which was ridiculous and unfair on staff and Members alike. She stated that there was a process there and asked for it to be sent in in advance so that Members have time to review it.

Cllr. Byrne stated that he would like to bring his motion to the floor. Cllr. McClearn stated that if the Seconder for Cllr. Byrne's motion has withdrawn, he would be happy to second that motion. He stated that they had given this a lot of time and they needed to move on, and that motion should be put to the floor.

Cllr. Killilea proposed that they adjourn the Meeting for 15 minutes to allow time to Planning Team to amend proposal. He stated that the issue being discussed was a very important one and one of the most important decisions that any of the Members would be making throughout the course of the CDP process.

Cllr. McHugh Farag stated that she had sent in a minor amendment on wording in 1(b) – and was requesting "or" to be changed to "and". Cllr. Byrne agreed to this amendment.

Cllr. Geraghty confirmed that he was reverting to original motion that he submitted before lunch.

Cllr. Thomas interjected and stated that Cllr. Geraghty had sent in a motion and was entitled to have the motion considered. He referred to earlier comments made about people being frustrated and found those comments were an insult to all Members who were frustrated themselves and suggested it was about time that the Councillors got more respect. He stated that Councillors were stopped from doing what they want to do for their constituents in the Plan at every opportunity and he was not going to sit back and listen to those comments made by Ms. Loughnane.

Cllr. McClearn suggested that they needed time to reflect, and calmness and composure was required. He stated that it was unfair to keep coming back with different motions and amendments and they were reflecting very badly on themselves

as Members that they were unable to find an agreed wording. He suggested that they had spent enough time on this and proposed that they proceed to a vote.

Mr. Owens stated that they were coming to the end of a very demanding process, and that it was important that they respect the process and as such, there must be certainty to motions which are submitted. He stated that the Executive did require additional time to examine these motions to provide this certainty to the Members and to the process itself. He advised that Cllr. Geraghty was required to re-submit his motion with a seconder if he wished it to be voted on. He advised Cllr. Byrne that if there were any spelling, grammatical or other error in his motion that it must also be resubmitted for examination by the Executive. It was agreed to adjourn the Meeting for 30 minutes.

Mr. Cullen reiterated Mr. Owens comments that there must be absolute certainty regarding motions submitted and advised that Mr. Owens would speak to the Forward Planning Team to ascertain the situation in relation to motions received. He stated that he could not let go the comments made in respect of Council Staff by certain Members. He stated that the Staff have behaved impeccably and have taken a lot of criticism in the past where it was necessary for him to step in. He acknowledged that this was a critical decision for the Members. He referred to a statement he made at the start of the process that this would be the Councillors Plan. He stated that throughout this process, Members would have received his advice. He stated that he would have been robust when there was a need to advise the Members on certain elements of the plan, but he stated that he fully respected the decisions the Members made when they made them. He advised that it was their plan and assistance will be provided to the Members on what has been received and the Meeting would resume at 3.00 p.m. to give the Members their best advice with regard to how to proceed with the proposals that were before the floor.

The Meeting adjourned for 30 minutes and resumed again at 3.00 p.m.

Mr. Owens advised that there were two motions before the Meeting, a motion from Cllr. Geraghty and a counter motion from Cllr. Byrne.

Cllr. Geraghty reiterated his apologies for the delay in this. Cllr. Killilea seconded Cllr. Geraghty's motion. He advised that it was very similar to that which had been agreed by the Members previously.

Cllr. Geraghty submitted the following Motion:

RH 2 Rural Housing Zone 2 (Rural Area Under Strong Urban Pressure-GCTPS-Outside Rural Metropolitan Area Zone 1)

It is policy objective to facilitate rural housing in this rural area under strong urban pressure subject to the following criteria:

1(a). Those applicants with long standing demonstrable economic and/or social Rural Links **or need** to the area through existing and immediate family ties seeking to develop their first home on the existing family farm holding. **Consideration shall be given to special circumstances where a landowner has no immediate family and wishes to accommodate a niece or nephew on family lands.** Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.*

OR

*1(b). Those applicants who have no family lands, **or access to family lands**, but who wish to build their first home within the community in which they have long standing demonstrable economic and or social Rural links* **or need** and where they have spent a substantial, continuous part of their lives i.e. have grown up in the area, schooled in the area or have spent a substantial, continuous part of their lives in the area and have immediate family connections in the area e.g. son or daughter of longstanding residents of the area. Having established a Substantiated Rural Housing Need*, such persons making an application on a site within an 8km radius of their original family home will be accommodated, subject to normal development management. ~~criteria and provided the site does not encroach into the Urban Fringe* of the towns of Gort, Loughrea, Athenry or Tuam. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.~~*

To have lived in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.

Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(c). Those applicants who can satisfy to the Planning Authority that they are functionally dependent in relation to demonstrable economic need on the immediate rural areas in which they are seeking to develop a single house as their principal family Residence in the countryside. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(d). Those applicants who lived for substantial periods of their lives in the rural area, then moved away and who now wish to return and build their first house as their permanent residence, in this local area. Documentary evidence shall be submitted to the Planning Authority to illustrate their links to the area in order to justify the proposed development and it will be assessed on a case by case basis.

OR

1(e). Where applicants can supply, legal witness or land registry or folio details that demonstrate that the lands on which they are seeking to build their first home, as their permanent residence, in the area have been in family ownership for a period of 20 years or more, their eligibility will be considered. Where this has been established to the satisfaction of the Planning Authority, additional intrinsic links will not have to be demonstrated.

OR

1.(f) In cases where all sites on the family lands are in a designated area, family members will be considered subject to the requirements of the Habitat's Directive and normal planning considerations

OR

1(g) Rural families who have long standing ties with the area but who now find themselves subsumed into ~~Rural Settlements and Rural Nodes Rural Villages~~. They have no possibility of finding a site within the particular ~~Rural Settlements and Rural Nodes Rural Villages~~. ~~Rural Settlements and Rural Nodes Rural Villages~~ dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld.

2. An Enurement condition shall apply for a period of 7 years, after the date that the house is first occupied by the person or persons to whom the enurement clause applies.

Definitions applied above:

***Rural Links/Rural Need:**

For the purpose of the above is defined as a person who has strong demonstrable economic or social links to the rural area and wishes to build a dwelling generally within an 8km radius of where the applicant has lived for a substantial continuous part of their life. **To have lived in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.**

***Substantiated Rural Housing Need:**

Is defined as supportive evidence for a person to live in this particular area and who does not or has not ever owned a house/received planning permission for a single rural house or built a house (except in exceptional circumstances) in the area concerned and has a strong demonstrable economic or social need for a dwelling for their own permanent occupation. In addition, the applicants will also have to demonstrate their rural links as outlined above.

***Urban generated housing demand Rural Village Dwellers**

Urban generated housing is defined as housing in rural locations sought by people living and working in urban areas, including second homes. There are

many rural families who have long standing ties with the area but who now find themselves subsumed into Rural Settlements and Rural Nodes Rural Villages.

They have no possibility of finding a site within the particular Rural Settlements and Rural Nodes Rural Villages. Rural Settlements and Rural Nodes Rural Villages dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld.

***Urban Fringe:**

Urban Fringe of Gort, Loughrea, Athenry and Tuam. Applicants whose family home is within the urban fringe will be requested to establish a Substantiated Rural Housing Need and only this category of persons will be allowed to construct a dwelling in this area. Applicants who wish to build within this area must generally be from within an 8km radius of the proposed site and will be requested to establish a Substantiated Rural Housing Need as per RH2.

Cllr. Byrne submitted the following motion

RH2 Rural Housing Zone 2 (Rural Area Under Strong Urban Pressure-GCTPS- Outside Rural Metropolitan Area Zone 1)

It is a policy objective to facilitate rural housing in this rural area under strong urban pressure subject to the following criteria:

1(a). Those applicants with long standing demonstrable economic and/or social Rural **Link or Need*** to the area through existing and immediate family ties seeking to develop their first home on the existing **family lands**. **Consideration shall be given to special circumstances where a landowner has no immediate family and wishes to accommodate a niece or nephew on family lands.** Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(b). Those applicants who have no family lands, **or access to family lands**, but who wish to build their first home within the community in which they have long standing demonstrable economic and or social Rural **links/need** * and where they have spent a substantial, continuous part of their lives i.e. have grown up in the area, schooled in the area or have spent a substantial, continuous part of their lives in the area and have immediate family connections in the area e.g. son or daughter of longstanding residents of the area. Having established a Substantiated Rural Housing Need*, such persons making an application on a site within an 8km radius of their original family home will be accommodated, subject to normal development management **criteria and provided the site does not encroach into the Urban Fringe*** of the towns of Gort, Loughrea, Athenry and Tuam. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case-by-case basis.

To have lived in the area for continuous Seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.

Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(c). Those applicants who can satisfy to the Planning Authority that they are functionally dependent in relation to demonstrable economic need on the immediate rural areas in which they are seeking to develop a single house as their principal family Residence in the countryside. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(d). Those applicants who lived for substantial periods of their lives in the rural area, then moved away and who now wish to return and build their first house as their permanent residence, in this local area. Documentary evidence shall be submitted to the Planning Authority to illustrate their links to the area in order to justify the proposed development and it will be assessed on a case by case basis.

OR

1(e). Where applicants can supply, legal witness or land registry or folio details that demonstrate that the lands on which they are seeking to build their first home, as their permanent residence, in the area have been in family ownership for a period of 20 years or more, their eligibility will be considered. Where this has been established to the satisfaction of the Planning Authority, additional intrinsic links/needs will not have to be demonstrated.

OR

1.(f) In cases where all sites on the family lands are in a designated area, family members will be considered subject to the requirements of the Habitat's Directive and normal planning considerations

OR

1(g) Rural families who have long standing ties with the area but who now find themselves subsumed into Rural Villages, Rural Settlements and Rural Nodes. They have no possibility of finding a site within the particular Rural Village/Settlement/Rural Node. Rural Village/Settlement/Rural Node dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld. This relates to unserviced settlements with no village plan

2. An Enurement condition shall apply for a period of 7 years, after the date that the house is first occupied by the person or persons to whom the enurement clause applies.

***Rural Links/Rural Need:**

For the purpose of the above is defined as a person who has strong demonstrable economic or social links to the rural area and wishes to build a dwelling generally within an 8km radius of where the applicant has lived for a substantial continuous part of their life. **To have lived in the area for continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.**

***Substantiated Rural Housing Need:**

Is defined as supportive evidence for a person to live in this particular area and who does not or has not ever owned a house/received planning permission for a single rural house or built a house (except in exceptional circumstances) in the area concerned and has a strong demonstrable economic or social need for a dwelling for their own permanent occupation. In addition, the applicants will also have to demonstrate their rural links as outlined above.

***Urban generated housing demand Rural Settlement/Rural Node Dwellers**

~~Urban generated housing is defined as housing in rural locations sought by people living and working in urban areas, including second homes. There are many rural families who have long standing ties with the area but who now find themselves subsumed into Rural Settlements and Rural Nodes.~~

~~They have no possibility of finding a site within the particular Rural Settlement/Rural Node. Rural Settlement/Rural Node dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld.~~

***Urban Fringe:**

~~Urban Fringe of Gort, Loughrea, Athenry and Tuam. Applicants in the urban fringe will be requested to establish a Substantiated Rural Housing Need as per RH2~~

Urban Fringe

~~Urban Fringe of the towns of Gort, Loughrea, Athenry and Tuam. Applicants in the urban fringe will be requested to establish a substantiated rural housing need and only this category of persons will be allowed to construct a dwelling in this area~~

Cllr. Byrne outlined the proposed changes he was making to the Meeting and advised that he was retaining the wording he had agreed with Cllr. Geraghty.

As Councillor Byrne's motion was a Counter Motion, a vote was taken on this motion.

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A Vote was taken, and the following was the result:

For: 10

Cllr. Byrne	Cllr. Carroll	Cllr. Charity
Cllr. P. Keaveney	Comh. Mac an Iomaire	Cllr. Mannion
Cllr. McClearn	Cllr. Murphy	Cllr. Reddington
Cllr. Welby		

Against: 20

Cllr. Canning	Cllr. M. Connolly	Comh. O Cualáin
Cllr. Curley	Cllr. Dolan	Cllr. Finnerty
Cllr. Geraghty	Cllr. Herterich Quinn	Cllr. Hoade
Cllr. C. Keaveney	Cllr. Kelly	Cllr. Killilea
Cllr. Kinane	Cllr. King	Cllr. McKinstry
Cllr. McHugh Farag	Cllr. Parsons	Cllr. Sheridan
Cllr. Thomas	Cllr. Walsh	

Abstain: 6

Cllr. Broderick	Cllr. D. Connolly	Cllr. Cuddy
Comh. O Curraoin	Cllr. Donoghue	Cllr. Roche

No Reply: 3

The Cathaoirleach declared that the Motion was not carried.

Ms. Brann, Meetings Administrator advised that as Cllr. Byrne's Motion was not carried, they would be reverting to Cllr. Geraghty's Motion.

Mr. Dunne advised that it was necessary to screen Cllr. Geraghty's Motion in relation to RH 2 through the environmental assessment process as it was not minor modifications and there was new text included that was not in Draft Plan and under Material Alteration and would revert in due course in relation to it.

Cllr. Geraghty queried if this should go to a vote. Mr. Owens advised that if it was not agreed by the Members they should proceed to a vote as suggested by Cllr. Geraghty, or if it is agreed it was required to note that.

Motion was proposed by Cllr. Geraghty and seconded by Cllr. Sheridan.

Cllr. McKinstry commented that there was basically no difference between RH1, RH 2 and RH 4 and wording was much the same for them all.

A Vote was taken on Cllr. Geraghty's Motion as follows:-

Minutes of Special Meeting held on 5th May 2022

For: 20

Cllr. Charity	Cllr. M. Connolly	Comh. O Cualáin
Cllr. Cuddy	Comh. O Curraoin	Cllr. Dolan
Cllr. Donoghue	Cllr. Geraghty	Cllr. Herterich/Quinn
Cllr. Hoade	Cllr. C. Keaveney	Cllr. P. Keaveney
Cllr. Kelly	Cllr. Killilea	Cllr. Kinane
Cllr. King	Cllr. Parsons	Cllr. Sheridan
Cllr. Thomas	Cllr. Walsh	

Against: 4

Cllr. Maher	Cllr. McClearn	Cllr. McKinstry
Cllr. Welby		

Abstain: 7

Cllr. Carroll	Comh. Mac an Iomaire	Cllr. Mannion
Cllr. McHugh Farag	Cllr. Murphy	Cllr. Reddington
Cllr. Roche		

No Reply: 8

The Cathaoirleach declared the motion carried.

(i) MA 4.4 – Policy Objective RH 4

Cllr. Geraghty submitted the following Motion:

RH 4 Rural Housing Zone 4 (Landscape Classification 2,3 and 4)

Those applicants seeking to construct individual houses in the open countryside in areas located in Landscape Classification 2,3 and 4 are required to demonstrate their demonstrable economic or social Rural Links or Need as per RH 2, i.e.

1(a). Those applicants with long standing demonstrable economic and/or social Rural Links or / Need* to the area through existing and immediate family ties seeking to develop their first home on the existing family farm holding. Consideration shall be given to special circumstances where a landowner has no immediate family and wishes to accommodate a niece or nephew on family lands. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assess on a case by case basis.

OR

1(b). Those applicants who have no family lands, or access to family lands, but who wish to build their first home within the community in which they have long standing demonstrable economic and or social Rural links or / Need* and where they have spent a substantial, continuous part of their lives i.e. have

grown up in the area, schooled in the area or have spent a substantial, continuous part of their lives in the area and have immediate family connections in the area e.g. son or daughter of longstanding residents of the area.

Having established a Substantiated Rural Housing Need*, such persons making an application on a site within an 8km radius of their original family home will be accommodated, subject to normal development management. To have lived in the area for a continuous ten seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.

Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(c). Those applicants who can satisfy to the Planning Authority that they are functionally dependent in relation to demonstrable economic need on the immediate rural areas in which they are seeking to develop a single house as their principal family Residence in the countryside. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(d). Those applicants who lived for substantial periods of their lives in the rural area, then moved away and who now wish to return and build their first house as their permanent residence, in this local area. Documentary evidence shall be submitted to the Planning Authority to illustrate their links to the area in order to justify the proposed development and it will be assessed on a case by case basis.

OR

1(e). Where applicants can supply land registry or folio details that demonstrate that the lands on which they are seeking to build their first home, as their permanent residence, in the area have been in family ownership for a period of 20 years or more, their eligibility will be considered. Where this has been established to the satisfaction of the Planning Authority, additional intrinsic links/need will not have to be demonstrated.

OR

1.(f) In cases where all sites on the family lands are in a designated area, family members will be considered subject to the requirements of the Habitat's Directive and normal planning considerations

In addition, an Applicant may be required to submit a visual impact assessment of their development, where the proposal is in an area identified as "Focal Points/Views" in the Landscape Character Assessment of the County or in Class 3 and Class 4 designated landscape areas. Documentary evidence shall be submitted to the

Planning Authority to justify the proposed development and will be assessed on a case by case basis. An Enurement condition shall apply for a period of 7 years, after the date that the house is first occupied by the person or persons to whom the enurement clause applies

This was seconded by Cllr. Killilea.

Motion was proposed by Cllr. Geraghty, seconded by Cllr. Killilea and agreed by the Members.

(i) MA 4.18 – BACKLANDS

Ms. Loughnane advised they had completed the OPR Submission, and it was agreed to deal with MA 4.18 Backlands.

Cllr. Welby stated that backlands would have been granted in previous situations and queried was this still the case. He stated that historic planning applications should not impact upon a new application going forward. Cllr. Thomas stated that his understanding of this would be to not limit the scope of it to just one family member to another. He stated that he was not aware of MA 4.18 and would be opposing it.

Mr. Dunne went through CE Report and advised that a total of 5 no. submissions were received during the prescribed public consultation period as follows:

GLW-C21-3 – The Office of Planning Regulator

The Office of the Planning Regulator wishes to acknowledge that Planning Authority has undertaken the necessary screening for SEA and AA and the conclusions therein. The office hereby, welcomes the MA 4.18 which address Recommendation 10 part (iv) of the Office's submission to the Draft Galway County Development Plan, and recommended that the plan is made with the proposed material alteration.

Chief Executive's Response:

The wording of Material Alteration 4.18 is considered appropriate in this instance.

Chief Executive's Recommendation:

No Change

GLW-C21-4 – Northern Western Regional Authority (NRWA)

A submission was received from the Northern and Western Regional Assembly. The Assembly consider that Galway County Council is best placed to manage rural

housing policy in the County and its previous submission to the proposed Material Alteration the Assembly generally provided support to all the MAs on rural housing. The proposed Material Alteration MA 4.18 is considered to fall into a similar category and the Assembly decided at its meeting on 25th March 2022 to support it.

Chief Executive's Response:

Noted.

Chief Executive's Recommendation:

No Change

GLW- C21-1 - EPA

This submission references 'self-service approach' via guidance document. It contains key recommendations for integrating environmental considerations into land use plans. It is recommended that this guidance document (SEA of Local Authority Land Use Plans – EPA Recommendations and Resources) is considered as appropriate and relevant to the Alteration.

Galway County Council should ensure that the Plan, as amended is consistent with the need for proper planning and sustainable development and should consider the need to align with national commitments on climate change, mitigation, and adaptation. The Council must ensure that the Plan is consistent with key higher-level plans and programmes.

The EPA note that where further changes to the Draft Plan are proposed, these should be screened for likely significant effect in accordance with the SEA Regulations.

The submission notes that once the Plan is adopted, an SEA Statement should be prepared that summarises a number of issues, and a copy of the SEA statement should be sent to any environmental authority consulted during the SEA process. Furthermore, under the SEA regulations, the Council should consult with environmental authorities which have been listed in the submission.

Chief Executive's Response:

Noted.

Chief Executive's Recommendation:

No Change.

GLW-C21-2 – Transport Infrastructure Ireland

The submission notes that Policy Objective RH 15 provides for backland rural housing developments subject to stated criteria. The submission has taken into consideration the extensive and largely rural nature of the strategic national road network in Galway and consider that development proposals addressed in Policy

Objective RH15 have the potential to result in a demand for access to the strategic national road network.

The submission states that the creation of new access or intensification of existing direct access to a national road outside 50-60kph urban speed limit locations, in such circumstance, would conflict with the provisions of official policy included in the Section 28 Ministerial Guidelines “Spatial Planning and National Roads Guidelines for Planning Authorities” Therefore, in the interest of clarity the TII would welcome the inclusion of a cross reference in Section 4.6 (Rural Housing Strategy in the Open Countryside) of the Draft Galway County Development Plan, and associated Policy Objective NR4 in the interest of providing clarification and early assistance to applicants in the preparation of any rural housing planning application where there may be implications for the strategic national road network in the area.

Chief Executive’s Response:

Noted. Concerns raised by Transport Infrastructure Ireland (TII) in relation to the creation of new access or intensification of existing direct access are noted. Policy Objective NR4 has been proposed to be amended on foot of submissions received in relation to Material Alteration 6.20.

Chief Executive’s Recommendation:

No Change

GLW-C21-5 – Irish Water

Summary of Submission

Irish Water have no comment to make on this Material Alteration.

Chief Executive’s Response:

Noted.

Chief Executive’s Recommendation:

No Change.

In response to Cllr. Thomas’s query, Mr. Dunne advised that this Material Alteration submission had been sent via email to all Members. It was put up on screen for all Members to view. He stated that if Cllr. Thomas wished to submit a motion, that it could only relate to the text highlighted in red.

In response to query from Cllr. Cuddy, Ms. Loughnane confirmed only the text in red was on public display and was therefore actionable. She further advised that only family members shall be accommodated in backland developments and if a Member wished to amend this, a motion was required to be submitted.

Ms. Loughnane advised that there was a motion in from Cllr. Thomas in relation to MA 4.18 Backlands.

Cllr. Thomas submitted the following Motion:

Amend RH 15 Backland in the Open Countryside as follows:

In all areas subject to the other provision of Rural Housing policy objectives considerations will be given to an immediate family members on family lands as backland development. to family members including nieces and nephews of the land owners and will not be restricted to only one immediate family member on family lands as backland development. Backland development will not be restricted to only where this pattern of development already exists. In all areas subject to the other provision of Rural Housing policy objectives considerations will be given.

This is subject to the following:

- Where no alternative lands are available on the family holding;***
- Where there is an existing/historical pattern of backland/cluster residential development within the rural area;***
- The proposed development shall not have a negative impact on third parties/neighbouring property owners;***
- Viable sites with sufficient independent percolation areas will be required in order to meet technical guidelines;***
- Only one family member shall be accommodated in a backland development; • Access shall in normal circumstances be by means of the existing entrance Where possible;***
- The site must be capable of satisfying all other criteria such as separation distance***

Mr. Dunne advised that the wording at the bottom of this motion cannot be amended at this stage of process. In accordance with the process and legislation, he advised that if the Members so wish they can make an amendment to a Material Alteration or revert to what was originally in the Draft Development Plan.

Cllr. Thomas stated that the top and bottom guidelines of the MA were contradictory and that what he was proposing did not constitute a major change and it did not make sense to state that it did.

Ms. Loughnane advised that they were giving guidance to the Members and that only minor amendments would be permitted at this stage of the process as per legislation.

Cllr. Thomas stated that if his motion were to be adopted, then this section would make a lot more sense, which he suggested was only correcting contradictions. He queried if it were the Minister who made the final decision on this?

Ms. Loughnane restated that they were very clear in their guidance and advice and stated that this was before the Members on the 17/12/2021 for consideration and this was what the Members adopted at that time.

Cllr. Welby confirmed that it was raised and there were no submissions in relation to it at the Meeting on 17/12/2021. He advised that this has been changed on a number of occasions previously.

Advice was sought from Mr. Owens on the matter.

Mr. Owens advised that the role of OPR and role of Minister was to review the Plan to ensure its compliance with the requisite National, Regional or European policies, as well as with any ministerial directions. He stated that if a non-minor amendment was made, then a judicial review into the entire process may follow and stated that the final decision ultimately laid with the Courts. He stated that if someone takes a procedural matter it will be dealt with through the Courts.

Cllr. Thomas retorted that no Minister or Court in the land would disagree with his motion, as the Material Alteration in its current form does not make sense and was contradictory.

Ms. Loughnane read out the Material Alteration as it appeared in Draft Plan and advised what went on public display. She stated that five submissions were received on it. She clarified that it would not be the wording that would be examined by the Court, but whether the protocols and procedures were followed in line with the relevant legislation.

Cllr. Thomas queried whether they could go to a vote on this or not.

Cllr. M. Connolly queried if they could add anything at this stage of the Plan on such a basis. Ms. Loughnane reiterated that the Members can only amend the piece that was on public display under Material Alteration. The other alternative was to revert to what was in Draft Plan.

Cllr. Thomas stated that the proposed changes he was making were very minor compared to other amendments that had gone through already.

Cllr. Walsh stated that he had witnessed amendments being made by Members during this current process that he considered were more than just a minor modification. He further stated that in his opinion the whole of the subject of the Backlands development went on public display and not just the top part as suggested by Executive. He stated that the Executive was being restrictive to Cllr. Thomas on this matter. He stated that if the Members should wish to substantially change something then it was not the end of the world. He stated that the Members take the advice of the CE, listen to the Recommendations given by CE but should the Members decide to go against these

recommendations and vote it through, then that was the policy. He stated that if words need to be made right, that was the job of the Executive. He suggested that the Executive were always looking for reasons to disagree with the Members' decisions or proposals instead of rowing in behind them. He further stated that Cllr. Geraghty was unfairly treated during today's proceedings, and it was difficult to listen to it.

Mr. Cullen addressed the comments made by Cllr. Walsh. He stated that the Executive were legally obliged to advise the Members, but that the Plan would be implemented as adopted by the Members. In relation to Material Alterations, he stated that the Members were restricted by law to the remit with which they can make amendments, and that as such, only minor amendments were permissible and that they cannot change anything that was not on public display. He stated that they were not trying to frustrate the Members but had to make sure that there was no ambiguity in the advice that the Members were given.

Cllr. Welby advised that he had sent on a screenshot of the Minute of the Meeting of 17/12/2021 in relation to this item via email and advised that the Executive cannot be expected to bend rules for a misstep on the part of the Members.

Cllr. Thomas advised that he had sent in an amended motion as follows:

Amend RH 15 Backland in the Open Countryside as follows:

In all areas subject to the other provision of Rural Housing policy objectives considerations will be given to an immediate family members on family lands as backland development. to family members including nieces and nephews of the land owners and will not be restricted to only one immediate family member on family lands as backland development. Backland development will not be restricted to only where this pattern of development already exists. In all areas subject to the other provision of Rural Housing policy objectives considerations will be given.

This is subject to the following:

- *Where no alternative lands are available on the family holding;*
- *Where there is an existing/historical pattern of backland/cluster residential development within the rural area;*
- *The proposed development shall not have a negative impact on third parties/neighbouring property owners;*
- *Viable sites with sufficient independent percolation areas will be required in order to meet technical guidelines;*
- *Only one family member shall be accommodated in a backland development;*
- *Access shall in normal circumstances be by means of the existing entrance Where possible;*
- *The site must be capable of satisfying all other criteria such as separation distance*

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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. D. Connolly	Cllr. M. Connolly	Comh. O Cualáin
Cllr. Cuddy	Comh. O Curraoin	Cllr. Dolan
Cllr. Finnerty	Cllr. Geraghty	Cllr. Herterich Quinn
Cllr. Hoade	Cllr. C. Keaveney	Cllr. P. Keaveney
Cllr. Killilea	Cllr. Kinane	Cllr. King
Comh. Mac an Iomaire	Cllr. Sheridan	Cllr. Thomas
Cllr. Welby		

Against: 10

Cllr. Broderick	Cllr. Byrne	Cllr. Carroll
Cllr. Charity	Cllr. Kelly	Cllr. Mannion
Cllr. McClearn	Cllr. McKinstry	Cllr. Murphy
Cllr. Welby		

Abstain: 4

Cllr. McHugh Farag	Cllr. Parsons	Cllr. Reddington
Cllr. Roche		

No Reply: 6

The Cathaoirleach declared the Motion carried.

APPENDIX B – INFRASTRUCTURE AUDIT

Ms. Loughnane advised that the Infrastructure Audit was on Page 117 of CE Report.

Tiered Approach to Land Zoning – Infrastructure Assessment

Appendix 3 of the National Planning Framework (NPF) introduces a new methodology for a two-tier approach to land zoning. National Policy Objective 72a requires Planning Authorities to apply a standardised, two-tier approach to differentiate between: zoned land that is serviced; and, zoned land that is serviceable within the life of the CDP.

- Tier 1 lands are serviced, and in general, part of or contiguous to the built-up footprint of an area.
- Tier 2 lands are not currently sufficiently serviced to support new development but have potential to become fully serviced within the lifetime of the CDP. Tier 2 lands may be positioned within the existing built-up footprint, or contiguous to existing developed lands, or to Tier 1 zoned lands.
- The CDP may include zoned lands which cannot be serviced during the lifetime of the Plan, by reference to the infrastructural assessment of the Planning Authority. This means that they cannot be categorised as either Tier 1 lands or Tier 2 lands, as per the above, and are not developable within the Plan period. Such lands should not be included within the Core Strategy for calculation purposes.

The NPF requires the CDP to carry out an assessment of the required infrastructure to support any Tier 2 lands identified for development. The assessment must be aligned with the delivery program of relevant infrastructure providers. The following sections set out an assessment of strategic enabling infrastructure requirements for Tier 2 lands across the County. The assessment focuses on the provision of infrastructure that is considered to be strategic in nature. The delivery of minor and/or local level infrastructure may be delivered through operational works of a service provider or developer-led and co-ordinated through the development management process. The assessment does not comprise an exhaustive list of requisite infrastructures across the County and while it is intended to inform, it is not to be relied upon for development management purposes. The purpose of the assessment is to demonstrate how lands zoned in the CDP with potential for residential development, are either sufficiently serviced (Tier 1) or have potential to become fully serviced within the timeframe of the Plan (Tier 2) (in compliance with Appendix 3 of the NPF). The assessment is point-in-time and it is acknowledged that infrastructure requirements may change. The full extent of requisite enabling infrastructure will continue to be assessed through the development management process whereupon detailed assessment will be undertaken.

Sector	Infrastructure Type	Assessment Overview
Transportation	Roads	Can the lands be accessed directly from the public road? Are the lands dependent on the construction of any Link Roads?
	Footpath	Is there a public footpath to the lands?
	Public Lighting	Is there public lighting to the lands?
Water Services	Water	Is there a public water main in proximity to the lands? Is there available capacity in the water supply to accommodate the development of the lands? Is there capacity in the distribution network?
	Wastewater	Is there a public sewer in proximity to the lands? Is there capacity in the wastewater treatment plant the lands would discharge to? Is there capacity in the local foul sewer network to accommodate any additional loading?

Core Strategy Settlement		Proposed Zoning Residential (R) and Employment (E)		Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024	Road & Transportation requirements of the particular lands	Tier 1 / Tier 2
	Housing Land Requirement in hectares	Pop allocation	Undeveloped employment Land in hectares					
Metropolitan Area								
Baile Chláir	13	(975)	1.77	Adequate Capacity	Adequate Capacity		Good Road network. Connectivity to all TC and R1 lands. Completion of the Surface Water Drainage scheme and Advancement of the relief road would be of great benefit for all road users.	Tier 1
Bearna	10	(750)		Limited Capacity	Limited Capacity	Drainage Area Plan will identify network issues and needs. Provision for medium and long-term growth will be considered as part of Greater Galway Area Drainage Strategy. Water supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands Surface Water Drainage design. Completion of the Relief Road.	Tier 1
Briarhill	16.1	(977)	34.41	Limited Capacity	Adequate Capacity		Urban Framework Plan-Detailed Guidance to be developed further as part of overall scheme	Tier 1
Oranmore	22.2	(1540)	105.98	Limited Capacity	Adequate Capacity	A local network reinforcement project in Galway city will improve existing capacity constraints at Oranmore main pumping station. Drainage Area Plan will identify network issues and needs. Provision for medium and longterm growth will be considered as part of Greater Galway Area Drainage Strategy.	Good Road network. Connectivity to all TC and R1 lands. The implementation of	Tier 1

Core Strategy Settlement	Proposed Zoning Residential (R) and Employment (E)	Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024	Road & Transportation requirements of the particular lands	Tier 1 / Tier 2		
					the recently commissioned LTP will greatly enhance traffic movement and accessibility for all road users.			
Garraun	20.7	1258	2.69	Limited Capacity	Adequate Capacity	A local network reinforcement project in Galway city will improve existing capacity constraints	Plan-Detailed Guidance to be as part of overall scheme. URDF for improvements of rail network.	Tier 1
Key Towns								
Ballinasloe	23.0	1,999	55.99	Adequate Capacity	Limited Capacity	Water supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands	Tier 1
Tuam	30.3	2,630	113.21	Adequate Capacity	Adequate Capacity		LAP to be reviewed Q1 of 2022 The implementation of the LTP will greatly enhance accessibility for all. The completion of the Ring Road will improve traffic	Tier 1

Core Strategy		Proposed Zoning Residential (R) and Employment (E)	Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024	Road & Transportation requirements of the particular lands	Tier 1 / Tier 2
Settlement		Capacity				movement within the town.	
Strategic Potential							
Athenry	21.8	1,350	129.57	Limited Capacity	Adequate Capacity	Wastewater Treatment Plant Upgrade has been completed. Network contract due to commence construction in 2022.	LAP to be reviewed Q1 of 2022 LTP to be created in 2022. It should highlight many areas requiring improvements for all road users. The completion of the Athenry Ring Road will improve traffic movement and accessibility
Self Sustaining Towns							
Gort	12.9	800	30.54	Adequate Capacity	Limited Capacity	Provision of storage underway.	LAP to be reviewed Q1 of 2022 An additional connection to the Motorway would be advantageous. Improvements to Surface Water Drainage.
Loughrea	22.6	1,400	37.82	Limited Capacity	Limited Capacity	Extension of Tuam RWSS Ext to Loughrea due for completion early 2021. Wastewater network hydraulic study to be undertaken.	LAP to be reviewed Q1 of 2022. LTP in 2022 to highlight area of

Core Strategy		Proposed Zoning Residential (R) and Employment (E)		Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024	Road & Transportation requirements of the particular lands	Tier 1 / Tier 2
Settlement								
							improvement for all road users.	
Small Growth Towns								
Clifden	11.8	470		Adequate	Limited Capacity	Water supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands Improvements to surface water drainage and FRS required.	Tier 1

Maigh Cuilinn	8.8	350		Adequate Capacity	Limited Capacity	NR 2 Key Roads Infrastructure Developments To support the delivery of the Galway City Ring Road (N6GCRR), N59 Maigh Cuilinn Bypass and the Galway – Clifden (N59) Schemes.	Good Road network. Connectivity to all TC and R1 lands Surface Water Design and FRS to be implemented	Tier 1
Oughterard	8.8	350		Adequate Capacity	Adequate Capacity	Short Term Water supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands The provision of the proposed new Road Bridge will improve safety for all road users.	Tier 1
Portumna	7.6	300		Limited Capacity	Limited Capacity	Water supply options will be assessed in the National Water Resource Plan. Capacity constrained in Green Isle P.S. catchment, P.S. upgrade under consideration.	Good Road network. Connectivity to all TC and R1 lands	Tier 1

Core Strategy		Proposed Zoning Residential (R) and Employment (E)	Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024	Road & Transportation requirements of the particular lands	Tier 1 / Tier 2
Settlement			Capacity				
Headford	7.3	290	Adequate Capacity Adequate Capacity Small Growth			Good Road network. Connectivity to all TC and R1 lands The implementation of a LTP will improve traffic movements and accessibility for all Road Users.	Tier 1
Villages							
An Cheathrú Rua	5.5	150	Sea Outfall No Treatment	Adequate Capacity	Short-Term Project to provide new WWTP at detailed design stage. Water supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands	Tier 1
An Spidéal	2.00	55	Sea Outfall No Treatment	Adequate Capacity New WWTP scheduled to commence construction 2021.		Good Road network. Connectivity to all TC and R1 lands	Tier 1
Ballygar	6.36	175	Limited Capacity	Adequate Capacity	Wastewater Infrastructure Improvements expected. Waste Water Treatment Plant upgrade to be progressed via IW Small Town and Villages Growth Programme.	Good Road network. Connectivity to all TC and R1 lands	Tier 1
Dunmore	4.4	120	Adequate Capacity	Adequate Limited Capacity	Waste supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands The proposed improvements to bridge street will	Tier 1

Core Strategy Settlement		Proposed Zoning Residential (R) and Employment (E)	Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024		Road & Transportation requirements of the particular lands	Tier 1 / Tier 2
							greatly enhance safety and connectivity for all road users.	
Glenamaddy	4.8	130	Adequate Capacity	Adequate Capacity	Adequate Limited Capacity	Waste supply options will be assessed in the National Water Resource Plan.	Good Road network. Connectivity to all TC and R1 lands FRS for the Creggs road is required to prevent continuous flooding	Tier 1
Kinvara	7.3	200	Adequate Capacity	Adequate Capacity			Good Road network. Connectivity to all TC and R1 lands LTP being created will greatly enhance safety and connectivity for all road users. The provision of public parking and the implementation of parking restrictions will improve congestion The completion of the Relief Road will improve connectivity	Tier 1
Moylough	4.6	125	Adequate Capacity	Adequate Capacity	Adequate Limited Capacity	Waste supply options will be assessed in the National Water Resource Plan.	Good Road network.	Tier 1

Core Strategy Settlement		Proposed Zoning Residential (R) and Employment (E)	Wastewater Capacity	Water Capacity	Water Service Capital Investment Programme 2020-2024	Road & Transportation requirements of the particular lands	Tier 1 / Tier 2
						Connectivity to all TC and R1 lands The requirement for a traffic calming to improve safety	
TOTAL	261.31	16394	512				

Ms. Loughnane advised that there were a few amendments to be made on this as follows:

Page 181 – Portumna – additional text
Page 182 – Ballygar – deletion and addition of text
Page 182 – Dunmore – deletion and addition of text
Page 183 – Glenamaddy – deletion and addition of text
Page 183 – Kinvara – deletion and addition of text

In response to Cllr. Byrne's query regarding Ballygar, Ms. Loughnane advised that funding was recently secured for this upgrade and would be carried out as soon as possible. In response to Cllr. M. Connolly, Ms. Loughnane advised that Irish Water has given assurances that the lands that are zoned are serviceable within the lifetime of the Plan. In relation to Mountbellew, she advised that they had also applied for similar funding, however the works required was greater than the monies available. She advised that Irish Water were aware of the issues raised and were seeking to work their way through it.

Referring to Dunmore and Mountbellew, Cllr. Sheridan stated that these areas required to be made adequate regarding their supply and it was a significant constraint on these areas because the waste-water treatment plants could not be upgraded. He stated that the wording "Adequate" to "Limited" was misleading.

CE Recommendation was proposed by Cllr. M. Connolly, seconded by Cllr. Byrne and agreed by the Members.

It was agreed to go back to GLW-C20-105 submission on Page 111.

GLW-C20-105 MARK GREEN

Mr. Dunne gave an overview of the submission as follows:

A comprehensive submission has been made which has addressed a number of the proposed Material Alterations.

Material Alteration 2.11

In relation to MA 2.11 the submission states that the mechanics of how a "**co-ordinated approach** to active land management between the Council and stakeholders" should be spelled out.

Material Alteration 3.1

The submission believes that a timescale for the ‘analysis and study of building heights’ needs to be defined.

Material Alteration 3.2

The submission requests a timescale for the establishment of ‘a database of strategic brownfield and infill sites.’

Material Alteration 4.2, 4.3 and 4.4

This submission believes that the loosening of restrictions for the building of unsustainable one-off houses in this and other amendments runs contrary to national policy, national spatial strategy and planning guidance and is likely to be opposed by the planning regulator and subsequently the minister.

Material Alteration 4.8 and 15.7

The submission believes that the removal of clauses will contribute to the proliferation of unsustainable rural sprawl and that it is contrary to national policy and believes should be reinstated.

Material Alteration 4.16

Submission requests a timescale for ‘link provided on the Galway County Council website for the ePlanning and iPlan system for the mapped quarries.’

Material Alteration 5.1

The submission believes that a timescale is needed for ‘masterplan for the Former Galway Airport Site’.

OPR Recommendation 1 of the Draft Galway County Development Plan 2022-2028

The submission states that the decision of Elected Members to ignore and overrule the Planning Regulator and Chief Executive’s Recommendation on the Core Strategy by disregarding the limit on allowable one-off houses (911 in Tier 7) is contrary to national policy.

OPR Recommendation 7 of the Draft Galway County Development Plan 2022-2028

The submission disagrees with the decision made by Councillors to ignore the OPR Recommendation 7 on Residential Phase 2 zoned land in relation to Oranmore and Oughterard.

The submission believes that the coastal development line setback in Bearna from 50m to 15m is an unsustainable policy in terms of climate change and notes that there is minimal planning in the Development Plan for the effects of rising sea levels.

The submission notes the lack of plans on how to encourage a modal shift of transport from public to private and from cars to walking/cycling and believes there is a need for dedicated resources in the county council for public transport and walking/cycling initiatives/ coordination.

Chief Executive's Response

There is close collaboration between the statutory stakeholders and the land management approach will be further developed during the course of the Development Plan.

It is a policy objective of the Draft Galway County Development Plan 2022-2028 to undertake an analysis and study of Building Heights and it is anticipated that this will be carried out within the lifetime of the Plan.

It is a Policy Objective (GCR 11 Strategic Sites) of the Draft Galway County Development Plan 2022-2028 to establish a database of strategic brownfield and infill sites and it is anticipated that this will be carried out within the lifetime of the Plan.

As per the OPR Recommendation No.5 and No.6 the recommendation is to revert to the Draft Galway County Development Plan 2022-2028.

As per the OPR Recommendation No.5 and No.6 the recommendation is to revert to the Draft Galway County Development Plan.

It is anticipated that this mapping service will be available once the Galway County Development Plan is adopted.

It is a Policy Objective (EL4 Masterplan for the Former Galway Airport Site) of the Draft Galway County Development Plan 2022-2028 to prepare a masterplan for the Former Galway Airport Site and it is anticipated that this will be carried out within the lifetime of the Plan.

In the OPR submission on the Material Alteration reference is made to the omission of the rural housing number on greenfield sites under the Settlement Hierarchy and distribution of growth. It is stated that there is potential to cause difficulties in implementing this through Development Management process. The Chief Executive concurs with this sentiment. Therefore, it is recommended that this allocation of 911 for rural housing on greenfield sites would be reinserted.

Noted. See OPR Recommendation No. 3 on the Material Alterations.

The request to increase the building setback to 50m has been considered. It should be noted that the Draft Galway County Development Plan 2022-2028, under Policy Objective BSMP 9-Coastal Setback had indicated a 30m setback. During the Council Meeting in December 2021 /January 2022 the Elected Members, by resolution, amended this policy objective and reduced coastal setback from 30m to 15m. The Chief Executive is not in favour reducing this buffer zone. It is considered that the 30m buffer zone as per the Draft Plan should be re-instated as it is considered that this is an appropriate setback distance.

The Draft Galway County Development Plan 2022-2028 contains a suite of policy objectives in relation to public transport. Policy Objective PT 1 Sustainable Modes of

Transport encourages a model shift from use of the private car towards more sustainable modes of transport.

Chief Executive's Recommendation

- Delete the “911” figure for housing units from the “Brownfield/Infill” column and reinsert this figure in the “Greenfield” column of the Core Strategy as per the Draft Galway County Development Plan 2022-2028
- See OPR Recommendation No.3,5 & 6
- See Recommendation to Galway City Council submission in relation to Bearná Material Alteration MA1 (Policy Objective BSMP 9 Coastal Setback)

Ms. Loughnane advised that the Members had already dealt with all the issues raised in the CE Recommendation with the exception to the one in relation to the Core Strategy Table. She referenced Appendix 1 on Page 176 of CE's Report. She advised that the figures in the Core Strategy table still did not add up with respect to the MASP area and Woodlawn.

Cllr. Killilea acknowledged the detailed submission received from Mark Green and his work on the Planning SPC Committee. He queried whether the acceptance of the CE Recommendation in this instance would require changing the Core Strategy that was agreed by the Members originally.

Cllr. Byrne stated that he wished to refute the assertion that they were not in compliance with National Policy by rejecting the CE's Recommendation. He stated that anybody with an economic or social need should be capable of building their first house. He stated that the Core Strategy was contrary to National Policy and he referenced and quoted NPO 19. As such he was proposing that they reject CE Recommendation and do not include the 911 figure into Greenfield Sites column in Core Strategy Table. He stated that the Members could then leave it to the discretion of the Minister to deal with.

Cllr. Byrne proposed the following Motion:

I, Cllr. Byrne propose to reject CE Recommendation in relation to deletion of “911” figure for housing units from the “Brownfield/Infill” column and reinsertion of this figure in the “Greenfield” column of the Core Strategy

Motion was proposed by Cllr. Byrne, seconded by Cllr. Welby and agreed by the Members.

Mr. Owens acknowledged the decision made by the Members in relation to the Core Strategy Table. He sought clarity from the Members that this meant that the Greenfield Sites column would be left blank, and the Brownfield/Infill column would include the

“911” figure. He stated that he wished to draw the Members attention to Page 5 of the OPR Submission and in particular to the second paragraph as follows:-

“However, the Office notes that one of the amendments made to the Core Strategy table (MA 2.12), has re-allocated the housing units within the ‘Rural Remainder’ tier, from the Greenfield to the ‘Brownfield’ column, thus leaving no quantum indicated, or allocated, as being required on ‘Greenfield’ sites. While not in conflict with the 20% minimum requirement for brownfield in rural areas of RPO 3.3, the Office considers this may lead to difficulties for the planning authority in the interpretation and implementation of the plan through the development management process, post adoption.”

He stated that he endorsed that concern on the basis that Members have left the figure blank which may create difficulties regarding development management in the period post-adoption of the Plan as per OPR. He further stated that the decision to leave the figure blank without notification to the OPR, ABP, and to other relevant bodies on how to interpret this blank figure would also be problematic. He stated that this blank box meant that there was effectively no certainty in terms of how it may be interpreted, and that this alongside the fact that it was not written into the Plan how to interpret such a blank figure gave the Executive significant concerns.

Ms. Loughnane stated that the amendments made during this process will have to go through an environmental assessment for SEA and AA and Members will be presented with an updated Environmental Report which they will be required to consider for adoption as part of the CDP. She advised that a Resolution on the making of the Development Plan would also be required to be passed by the Members at Monday’s Meeting. She advised that the Plan would come into effect six weeks after its adoption by the Members and the OPR have four weeks to make their submission to the Minister. The Minister is required to consider that Report and decide on whether he will issue a Ministerial direction or not.

Cllr. Byrne stated that he had raised an issue with Ms. Loughnane/Mr. Dunne regarding a mapping inaccuracy of zoning of lands in Oranmore. He acknowledged that it did not go on Material Alteration that went on public display. He stated that this mapping error has huge consequences for the landowner in question. He stated his intention to raise it at Monday’s meeting to get a resolution to it. Ms. Loughnane advised that they were aware of this situation, and it would be discussed at Monday’s Meeting.

Minutes of Special Meeting held on 5th May 2022

Cllr. Roche referred to vote on RH 2 Motion submitted by Cllr. Byrne, seconded by Cllr. McClearn and advised that he came in on the vote late and abstained. He asked that it be put on record that he would have voted for the removal of the urban fringe against Cllr. Byrne's motion.

Mr. Dunne reminded the Members to send in their reasons with respect to motions brought forward in relation to OPR Recommendations.

Cllr. Geraghty referred to a local community group in his area who had applied for funding for an extension to their community hall of less than 40 sq meters. The group assumed that community halls were exempt from planning permission but were not and lost out on funding as a result. He asked that it be noted and queried if something could be done in instances such as this where a small community group have lost out on substantial funding. Cllr. Sheridan queried if it would be possible for small developments at the rear of community halls or for community groups such as Foroige etc., to be exempt from such regulations or to be able to retain their secured funding if exemption was not possible.

Ms. Loughnane advised that 40 sq m exemption applied to dwelling-houses only and was contained in 2001 legislation. She advised that this was outside the control of the planning authority, and it was a legislative matter. She implored any Members concerned by this restriction to speak to their Ministers in Government in relation to drafting new Exempted Regulations in relation to it.

Cllr. Geraghty thanked Ms. Loughnane for clarification on the matter.

Cllr. Donoghue wished to address the Meeting in relation to Derrybrien Windfarm. She advised that she had visited the site last Monday and met some of the Operations Staff on site. She enquired about whether it would be possible to include an SLO regarding Derrybrien Windfarm into the CDP as it would be very important for this area.

Ms. Loughnane advised that there was no facility to do this. She explained that the decision that was made by ABP with respect to Derrybrien and was outside the control of Galway County Council.

As Cllr. Donoghue had connectivity issues, it was agreed to resume discussion at Council Meeting on Monday, 9th May 2022

The Meeting was then adjourned to the 9th May 2022.

Chrionchaigh an Cruinniú Ansin

Submitted, Signed and Approved



Cathaoirleach: _____

Date: _____ 27/06/2022 _____