

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

Thursday 13th January 2022 at 11.00 a.m. via Microsoft Teams

- CATHAOIRLEACH:** Cllr. Peter Keaveney
Cathaoirleach of the County of Galway
- Baill:** Comh./Cllr. T Broderick, J. Byrne, I. Canning,
L. Carroll, J. Charity, D. Collins, D. Connolly, M. Connolly,
G. Cronnelly, D. Ó Cualáin, J. Cuddy, S. Curley, T. Ó
Curraoin, 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, P.J. Murphy, Dr. E. Francis Parsons, A.
Reddington, P. Roche, J. Sheridan, N. Thomas, S.
Walsh and T. Welby.
- Apologies:** Comh./Cllr. A. Dolan
- Oifigh:** Mr. J. Cullen, Chief Executive, Mr. D. Pender,
Director of Services, Mr. L. Hanrahan, 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, Ms. A.
O Moore, Asst. Planner, Ms. A. Power, Senior Staff
Officer, Ms. U Ní Eidhín, Oifigeach Gaeilge

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

Mr. Owens advised that this was the final day of this part of the process, and they would be dealing with Development Management Standards in Chapter 15. He advised that when that when this was dealt with, there was a number of outstanding motions to be dealt with from Chapter 7 onwards. He would then clarify process of response to OPR and close out in relation to this process.

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

CHAPTER 15: DEVELOPMENT MANAGEMENT STANDARDS

Ms. Loughnane advised that during the course of this process, amendments have been made to policy objectives. She stated that the onus was now on planners to comply with policy objectives and DM's will be done accordingly. She advised that if a policy objective was deleted during the course of this process, the corresponding DM may also be deleted. Similarly, if policy objective was amended, the corresponding DM may also have to be amended. She explained that in the case where a motion has been defeated and wasn't opposed, it may result in a DM that conflicts with that policy objective. She advised that you can't have conflict between a policy objective and DM and emphasized the importance for the need to try to keep the whole thing consistent and avoid opening debates on things that have been decided by policy objective.

Cllr. Carroll queried if response to OPR would be done by the Executive or individual Councillors. In reply, Mr. Owens stated that he would be correlating the OPR submission, correlating CE recommendation and any subsequent amendments Members may have made during the process. He advised that Report is required to be with OPR within 5 days of process ending and that he would be circulating that report to Members also. He stated that in relation to motions that were presented in some cases Members gave reasons for not going with CE Recommendation and in other cases they had not. The report is required to highlight reasons for not going with OPR recommendation.

GLW-C10-685; GWL-C10-783, GLW-C10-792
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Cllr. McKinstry proposed the following motion:

Amend DM Standard as follows:

<i>DM Standards 72: E-Charging Points</i>
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Provisions for of e-charging points for e-bikes should be facilitated in suitable areas, subject to compliance with other relevant development management standards.

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

GLW C10-160 CONNEMARA DARK SKIES

Pg 569

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

He advised the submission draws upon the principles of the International Dark-Sky Association. It is suggested that Chapter 15 includes standards on lighting reflective of the policy objectives on light pollution in Section 7.9.3.

It is also recommended that the guideline for the single rural house in Appendix 5 should be amended to include recommendations on outdoor lighting in line with dark sky friendly principles as detailed in Policy Objective LP3. The submission makes the following recommendations which are each supported by a rationale:

Policy Objective LP1 amended as follows:

To require that all developments shall ensure lighting schemes are designed so that ~~so that excessive~~ **light spillage** is minimised to ensure light pollution in the surrounding environment including residential amenity, wildlife and near public roads is limited. **Lighting schemes should consider dimming or switching off lighting during the night where appropriate.** Such lighting schemes shall be submitted and agreed with the Planning Authority.

Policy Objective LP2 amended as follows:

To require the use of low energy LED (or equivalent) lighting in support of Climate Action. **Lighting should be limited to warmer correlated colour temperatures (CCT) of 3000 Kelvin or below to be of an environmentally sensitive manner.**

Policy Objective LP3 amended as follows:

To encourage the maintenance of dark skies in rural areas

To encourage the maintenance of dark skies in rural areas, **and to limit light pollution in urban and rural areas to actively reduce existing sources of light pollution from public infrastructure in strategic dark sky areas by upgrading to dark sky friendly lighting and to limit light pollution in urban and rural areas.**

Chief Executive's Response:

The existing policy has been devised in conjunction with the Infrastructure and Operations Directorate and operates in accordance with the relevant guidance and directives as appropriate.

The existing policy has been devised in conjunction with the Infrastructure and Operations Directorate and operates in compliance with energy saving and sustainability apparatus.

The existing policy has been devised in conjunction with the Infrastructure and Operations Directorate and operates in accordance with the relevant guidance and directives as appropriate.

Chief Executive's Recommendation:

No change.

Mr. Dunne advised that this had already been dealt with in Chapter 7.

Already dealt with. Noted by Members

Cllr. M. Connolly referred to lack of facilities in many of our towns/villages, i.e. footpaths and lighting for people to utilize in evenings. Cllr. Byrne agreed with point made but stated this discussion should have taken place when submission was being debated and this was not the forum for doing it here.

Mr. Owens reminded the Members that they were dealing with DM Standards rather than the policy objective.

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

GLW C10-466 MOR ACTION

Pg 570

Mr. Dunne gave an overview of the submission and read CE Recommendation and Response.

In relation to Chapter 15, the submission requests that existing hedgerows and trees are retained where possible. This submission is specifically relating to **DM Standard 48: Field Patterns, Stone Walls, Trees and Hedgerows.**

Chief Executive's Response:

This request has already been covered under the relevant policy and objectives outlined in Chapter 10 and DM Standard 48.

Chief Executive's Recommendation:

No change.

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

GLW C10-608 BAILE BHRUACHLAIN TEORANTA & BAILE EOAIOINN TEORANTA

Pg 570

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

Density and Building Heights - DM Standard 2:

The submission requests that the Planning Authority prepare density standards in accordance with Chapters 5 and 6 of the Section 28 Ministerial Guidelines for Sustainable Residential Development in Urban Areas (2009). It is stated that the appropriate densities which are likely to apply to new residential development in villages is not clearly indicated.

Building Lines – DM Standard 30:

It is recommended that, where justification is provided, flexibility should be applied to DM Standard 30. The submission requests a statement regarding flexibility be included in this section to ensure development is not hindered where it may not be able to conform with the requirements of the standard.

Parking – DM Standard 32:

The submission requests clarity on whether the car parking standards outlined are a minimum or maximum standard.

In relation to Table 15.5, the submission considers the standard of 1 car parking space per 3m² to be excessive and should be adjusted.

The submission would welcome the inclusion of DM Standard 32 (i) relating to the visual impact of car parking, requiring parking to be placed behind buildings where possible and the use of screening and planting to soften car parking.

Buffer Zone Standard – Wastewater Treatment Plants

It is requested that a buffer zone standard of 100m setback buffer zone for development in proximity to Waste Water Treatment Plants is set as the standard for the entire County. The submission requests that uniform standards and policies are applied throughout the County to avoid ambiguity and to provide clear and concise guidance on buffer zone standards and on the appropriate maintenance regime and standards that should apply to private and communal WWTP's.

Chief Executive's Response:

An undertaking has been given to comply with the Section 28 guidelines as Part of the MASP chapter in Volume 2 of the Draft County Development Plan.

DM Standard 30 relates to setback with respect to Building lines. Within urban areas there may be some flexibility with respect to setback and this is covered as part of the DM standards with respect to **Chapter 3 Placemaking, Regeneration and Urban Living**.

As per OPR Recommendation No. 8.

It is not considered appropriate to have a standard buffer zone of 100m to all wastewater treatment plants, as one size fits all standards cannot apply as different

treatment plants will require different setbacks depending on a number of factors. Such a policy would be overly prescriptive and may lead to an impediment to permitting appropriate development. Irish water, as the governing body on municipal WWTP, have indicated that there is no justification for such a setback in the majority of situations and that all applications will be dealt with on a case by case basis whilst always ensuring that public health is paramount.

Chief Executive's Recommendation:

As per Recommendation No. 8.

Cllr. McKinstry requested that they come back to the proposed 10m sea level rise. It was agreed that this would be discussed later in the meeting.

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

GLW C10 923 JOYCE'S SUPERMARKETS

Pg 571

Mr. Dunne advised that this had already been dealt with under OPR Recommendation.

The submission relates to Table 15.5 of the Development Management Standards. It is requested that a standard of 1 car parking space per 20sqm new floorspace is applied for 'Shops'. The submission outlines a rationale for this proposal.

Chief Executive's Response:

It is considered that the carparking standards set out are appropriate and based on best practice and sustainable transport models.

Chief Executive's Recommendation:

No change.

This has been dealt with under OPR Recommendation. Noted by Members.

GLW C10-1377 CLLR. BYRNE

Pg 572

Mr. Dunne gave an overview of the proposed changes in submission and read CE Response and Recommendation.

DM Standard 5 - Dependent Relative Accommodation/Granny Flats (Urban and Rural)

Proposals for this accommodation should demonstrate:

- A bona-fide need for such a unit;
- A physical connection to the main house with direct access to the main dwelling;

That the proposal does not impact adversely on either the residential amenities of the existing property or the residential amenities of the area; That the accommodation can revert to being part of the original house when no longer occupied by a member of the family.

All applications for family flat development shall comply with the following criteria:

- The flat shall form an integral part of the structure of the main house with provision for direct internal access to the remainder of the house i.e. not detached;
- The flat shall be modest in size and shall not have more than one bedroom (2 bedrooms in exceptional circumstances). The unit shall not exceed a gross floor area of ~~50 square metres~~ **75 square metres**;
- The flat shall not have a separate access provided to the front elevation of the dwelling;
- There shall be no permanent subdivision of the garden/private amenity space;
- The flat shall remain in the same ownership as that of the existing dwelling on site. In this regard, the flat shall not be let, sold or otherwise transferred, other than as part of the overall property;
- The design proposed shall enable the flat to easily fully revert to being part of the original house when no longer occupied by the family member(s);
- If the site is not connected to public mains, the existing wastewater treatment system on site must be capable for any additional loading from the flat, and if not proposals should be submitted to accommodate the additional loading.

DM Standard 10 – Linear Development

Linear development is a prevalent issue in the County that is having a detrimental impact on the character of the rural landscape. The Sustainable Rural Housing Guidelines define linear development as five or more houses on any one side of a ~~given 250 metres of road frontage~~. **Exemption will apply if the applicant can demonstrate that the site is the only land available in the family holding, and also include for nephew or niece, grandchild.**

Linear development does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered, or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked.

In cases where a development would create or extend linear form of development, the proposal will not be considered favourably.

Applicants will be considered favourably if this is the only family owned site available (~~5 or more in 250m does not apply in this case~~).

DM Standard 27: Access to National and Other Restricted Roads for Residential Developments

The provision of residential access to National and other Restricted Roads will have regard to the following:

The following requirements shall apply to the provision of residential access to National and other Restricted Roads: Housing Need Eligibility

a) Residential development along National Roads will be restricted outside the 60kmp speed zones in accordance with the DoECLG Spatial Planning and National Road Guidelines (2012). Consideration shall be given to the need of farm families to live on the family holding-on a limited basis and a functional need to live at this location must be demonstrated. Where there is an existing access, the combined use of same must be considered and shown to be technically unsuitable before any new access can be considered. Access via local roads shall always be the preferred access.

b) Proposed access onto any restricted Regional Road outside the 60kmp kph speed zones shall be restricted to ~~members of the farm family on the family holding~~ **need of members of the family on the family lands** and on a limited basis only. Where there is an existing access, the combined use of same must be considered and shown to be technically unsuitable before any new access can be considered. This may require the upgrading and/or relocation of the existing entrance to serve the combined development. Access via local roads shall always be the preferred access. Any new access and must be accompanied by a justification for the proposed access.

c) An Enurement condition will be attached to grants of planning permission for the above.

Chief Executive's Response:

It is considered acceptable that in some cases a second bedroom is required and if so with a justification the gross floor area should not exceed 75 sq.m.

This addition is not in the spirit of DM Standard 10 and therefore is not considered as an appropriate amendment.

Significant resources have been expended on the Regional Roads and they provide essential linkages between our towns and villages. These restricted regional roads are required to be protected and safety is paramount, thus the need for restricted additional accesses along such roads. The widening of the criteria serves to allow more development along such roads and compromises the investment afforded to the upkeep and maintenance of such routes. See OPR Recommendation No. 14 where DM Standard 27 has been proposed to be amended further.

Chief Executive's Recommendation:

Please see Recommendation No. 14.

DM Standard 5 – Dependent Relative Accommodation/Granny Flats (Urban and Rural)

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

Cllr. Walsh advised that he had submitted joint motion with Cllr. Killilea requesting a gross floor area of 80 square metres but was agreeable to accept 75 square metres as per CE Recommendation.

DM Standard 10 – Linear Development

Cllr. Byrne withdrew this section of submission.

DM Standard 27: Access to National and Other Restricted Roads for Residential Developments

Mr. Dunne advised that they had already dealt with this matter in policy objective RH 17 and DM Standard 27 amended wording reflected the premise of RH 17.

The Chief Executive Recommendation was rejected in relation to DM Standard 27 which was proposed by Cllr. Byrne, seconded by Cllr. Mannion and agreed by the Members.

Cllr. Walsh submitted a motion in relation to DM Standard 29

DM Standard 29: Sight Distances Required for Access onto National, Regional, Local and Private Roads

Vehicular entrances and exit points must be designed by the developer as part of a planning application with adequate provision for visibility so that drivers emerging from the access can enjoy good visibility of oncoming vehicles, cyclists and pedestrians. Where a new entrance is proposed, the Planning Authority must consider traffic conditions and available sight lines. Road junction visibility requirements shall comply with Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) (DN-GEO-03060) for rural roads and Design Manual for Urban Roads and Streets for urban roads (including any updated/ superseding document). Where substantial works are required in order to facilitate the provision of adequate sight distances lands within the sight distance triangles shall be within the control of the applicant and shall be subject of a formal agreement with the adjacent landowner which ensures certainty that the applicant is in a position to comply with the relevant condition and or standard.

Exit Visibility Check

Visibility splays shall be measured a minimum distance of 2.4m from the edge of the carriageway ('x' distance) or as determined by Galway County Council. In limited instances this may be reduced ~~to 2.4m and~~ to 2.0m in difficult circumstances on urban roads.

Site visibility requirements shall be provided within the development boundary of the site or on lands in the control of the applicant or lands in public ownership.

Letter of consent from adjoining property owners will be required in order to achieve sightlines, and these works to be carried out in advance of commencement of construction.

Entry Visibility Check

A vehicle turning into the proposed development shall be visible to an approaching vehicle for a distance of Y in order to avoid a rear end collision.

A vehicle turning right into the proposed development shall have a forward visibility to the centre of the opposite lane for a distance of Y to ensure they can safely cross the path of an on-coming vehicle.

Cllr. Walsh referred to Table, 15.3b, in relation to Sight Distance Requirements for access on to National, Regional and Local Roads. He stated that the table in Plan on public display and classes all roads as national. He advised that he had separated them out to National, Regional and Local Roads and wanted to make the

Members aware of the national restrictions being on regional and local roads. He recommended that they take a vote on this.

Cllr. Walsh withdrew his commentary on DM 29.

Cllr. Cuddy queried what was the site distance going to be on Regional Roads? In reply, Cllr. Walsh stated that in accordance with Table 15.3b it would be 120km/h.

Cllr. McKinstry stated that he couldn't see a justification for this on safety grounds and recommended retaining previous proposal.

Mr. Pender, Director of Services advised that sight distances were not determined by class of road but were determined by design speed of roads. He stated that it was very important that the Members were not confused by this as this was a serious safety issue they were discussing and urged the Members to consider this carefully. He explained that the fact that this was a TII document relating to national roads was irrelevant. It was a design document 100% related to the Design Speed of the road. He said that there were Local and Regional roads that fall into nearly every category of design speed listed. The X distance (or dwelling area) is designed for a vehicle to come to a complete stop, have clear visibility for the Y-distance in both directions, and then when it is safe to do so, move out left or right on to the major road. He explained that Y-distance has a two-fold effect. The first as per what I said above, but even more importantly it provides for a safe FSD (forward stopping distance) for a vehicle on the major road to allow them to react and stop accordingly if needed. The Y-distance does not recognize whether it is a National, Regional or Local road as it is based on the Design Speed of the road.

Cllr. Walsh queried why the Regional Route was different in current plan. In response, Mr. Pender explained that Design Standards were evolving all the time.

Cllr. Cuddy queried what was speed on a regional road? Mr. Pender advised that it was based on the design speed for that road and there was no one fixed sight designation for a regional road. He explained that the design standards do not differentiate between classification of roads and it was defined by the design speed of the road.

Cllr. Byrne stated that whatever decision was made on DM Standard, it had to comply with current guidelines and emphasized the need to have DM standards that are non-ambiguous.

Cllr. Thomas stated that he too had an issue with classifying all the roads the same and suggested they should be looked at separately. In relation to regional roads, he stated there was already 120km in place which was ample distance for any regional road and if anything did happen on road it was down to human error.

Cllr. Walsh stated that on a motorway, the recommended RSA stopping distance was 78m at 120km. He referred to the 250m that was required here and queried the relevance of table 15.3b. He said that table was too stringent and suggested that safe stopping distance should come into it as well.

Cllr. McKinstry stated that it was the design speed that was important and would go with Mr. Pender's comments and TII Standards.

Cllr. Geraghty referring to the smaller bye-roads, stated that his concern was for the smaller villages outside towns where a lot of the design speeds on these roads was not for 80km or 60km.

Cllr. M. Connolly referred to previous CPG Meetings where this matter was discussed from time to time. He stated that a lot of planning refusals has been based on sight lines and there should not be any ambiguity about this. He stated that it was important to try and get this right as it was a very serious issue they were dealing with in terms of road safety and peoples' lives. Cllr. Byrne said that Mr. Pender had clarified to the Members on design speed, and he too urged the Members not to confuse design speed with speed limits and would recommend that they go with CE recommendation. Cllr. Roche stated that 70m sight distance was in his opinion reasonable and reminded the Members that 80km was not a target but was the maximum speed permitted to travel on the road. He stated that if people applied good driving standards, there was no reason for tampering with sight distances. Cllr. Mannion concurred with previous comments and suggested going with CE Recommendation.

In response to Cllr. M. Connolly's query in relation to eye-height, Mr. Pender advised that it was clearly set out in the Standards.

Cllr. Thomas queried why were there any tables if every application should be taken on its merits. Ms. Loughnane explained that from a planning perspective, every site is different and when Planner goes out to view site, they make their assessment and gauges whether it meets the required standards. She emphasized the importance of having no ambiguity on it and urged the Members, on safety grounds, to go with CE Recommendation. Ms. Loughnane further advised if Planner has any issue or concerns or required clarification on sight lines, they revert back to Roads Colleagues/Road Design Colleagues for their comments.

Cllr. Walsh suggested it be discussed in detail at SPC Meetings and it could be adopted into Development Plan at a later stage. Cllr. Byrne again suggested they go with CE Recommendation on this. He stated they need to ensure that there is a consistent approach with this policy and proposed that it could be discussed in more detail when policy papers were being prepared.

Cllr. Walsh suggested that this was a means to stop one-off housing and cutting out people's chance of getting planning permission.

Mr. Cullen stated that under no circumstances should it be insinuated that the motivation in putting forward this recommendation was to prevent people from getting Planning Permission. He stated that the recommendation was for public safety/traffic safety, and this was all.

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

For – 15

Cllr. Canning
Comh. O Cualáin

Cllr. M. Connolly,
Cllr. Curley

Cllr. Cronnelly,
Cllr. O Curraoin

Cllr. Finnerty	Cllr. Herterich/Quinn	Cllr. C. Keaveney
Cllr. Killilea	Cllr. Hoade	Cllr. Roche
Cllr. Sheridan	Cllr. Thomas	Cllr. Walsh

Against: 17

Cllr. Broderick	Cllr. Byrne	Cllr. Carroll
Cllr. Charity	Cllr. Collins	Cllr. D. Connolly
Cllr. Cuddy,	Cllr. Donohue	Cllr. P. Keaveney
Cllr. Kelly	Cllr. Mannion	Cllr. Mac an Iomaire
Cllr. McClearn	Cllr. McKinstry	Cllr. Murphy
Cllr. Reddington	Cllr. Walsh	

Abstain: 4

Cllr. Geraghty	Cllr. Kinane	Cllr. McHugh/Farag
Cllr. Parsons		

No Reply: 3

The Cathaoirleach declared that the Motion was not carried.

GLW C10-1346 - CLLRS. ROCHE AND WALSH

Pg 575

Mr. Dunne gave an overview of the proposed changes in submission and read CE Recommendation and Response.

DM Standard 4 – House Extensions (Urban and Rural) Proposed extensions shall:

- ~~In general, be subordinate to the existing dwelling in its size, unless in exceptional cases, a larger extension compliments the existing dwelling in its design and massing;~~ **In general compliment the existing dwelling in its design and massing;**
- reflect the window proportions, detailing and finishes, texture, materials and colour unless a high quality contemporary and innovatively designed extension is proposed.
- not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact; and
- carefully consider site coverage to avoid unacceptable loss of private open space.

DM Standard 5 Dependent Relative Accommodation/Granny Flats (Urban and Rural)

Proposals for this accommodation should demonstrate:

- A bona-fide need for such a unit;

- **Take cognisance of the current Housing Crisis;**

- ~~A physical connection to the main house with direct access to the main dwelling;~~ **For a new structure, a physical connection to the main house with direct access to the main dwelling is desirable but not a requirement. The conversion of an existing Detached Garage to create accommodation for a family member in need of accommodation can be considered;**

- That the proposal does not impact adversely on either the residential amenities of the existing property or the residential amenities of the area;

~~That the accommodation can revert back to being part of the original house when no longer occupied by a member of the family.~~

Where the proposal is attached to the main house, that the accommodation can revert back to being part of the original house when no longer occupied by a member of the family

All applications for family flat development shall comply with the following criteria:

- ~~• The flat shall form an integral part of the structure of the main house with provision for direct internal access to the remainder of the house i.e. not detached;~~

- ~~• The flat shall be modest in size and shall not have more than one bedroom (2 bedrooms in exceptional circumstances). The unit shall not exceed a gross floor area of 50 square metres;~~

- **The flat shall be modest in size and shall not have more than 2 bedrooms, except in exceptional circumstances. The unit shall not exceed a gross floor area of 80 square metres;**

- ~~The flat shall not have a separate access provided to the front elevation of the dwelling;~~ **The flat shall not have a separate access provided to the front elevation of the existing dwelling;**

- ~~• There shall be no permanent subdivision of the garden/private amenity space;~~

- ~~• The flat shall remain in the same ownership as that of the existing dwelling on site. In this regard, the flat shall not be let, sold or otherwise transferred, other than as part of the overall property;~~

- **The flat shall remain in the same ownership as that of the existing dwelling on site. In this regard, the flat shall not be sold or otherwise legally transferred, other than as part of the overall property.**

- ~~• The design proposed shall enable the flat to easily fully revert to being part of the original house when no longer occupied by the family member(s);~~

- **Where attached to the original dwelling is being proposed the design proposed shall enable the flat to easily fully revert to being part of the original house when no longer occupied by the family member(s);**

- If the site is not connected to public mains, the existing wastewater treatment system on site must be capable for any additional loading from the flat, and if not, proposals should be submitted to accommodate the additional loading.

DM Standard 6- -Domestic Garages (Urban and Rural)

- The design, form and materials should be ancillary to, and consistent with the main dwelling on site;

- ~~Structures should generally be detached and sited to the rear of the dwelling house and be visually subservient in terms of size, scale and bulk;~~ **Structures**

- may be detached or connected to the dwelling but should generally be visually subservient in terms of size, scale and bulk
- In general of size up to 60m² but may be larger if a case for same is substantiated subject to other requirements of the CDP
- Storage facilities should be used solely for purposes incidental to the enjoyment of the dwelling and not for any commercial, manufacturing, industrial use or habitable space in the absence of prior planning consent for such use.

DM Standard 8 -Site Selection and Design

Apply the following guidance in assessing planning applications for rural housing:
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~~ integrate in so far as possible with the receiving landscape.
- ~~Simple design forms and materials reflective of traditional vernacular should be used.~~ 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)
- A visual impact assessment or 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 dominates the landscape. (Cutting and filling of sites is not desirable).~~ The siting of new development shall, in so far as possible, 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.)
- New buildings should respect the landscape context and not impinge scenic views or skylines ~~as seen from vantage points or public roads.~~ as seen from major vantage points or public roads seen as important for tourism.
- Larger houses (e.g. in excess of 200sqm) should incorporate design solutions to minimise visual mass and scale e.g. sub-divided into smaller elements of traditional form to avoid bulky structures.
- Use a simple plan form to give a clean roof shape – a long plan in preference to a deep plan. This will avoid the creation of a bulky shape.
- Where existing vernacular structures exist on site, consideration should be given to their reuse, adaptation and extension in preference to new build.
- Clustering with existing rural buildings is generally preferable to stand-alone locations.

DM Standard 9 -Site Sizes for Single Houses Using

Individual On-Site Wastewater Treatment Systems

- A minimum site size of 2000m² is generally required for a single house so as to provide for adequate effluent treatment, parking, landscaping, open space and maintenance of rural amenity.
- For house sizes, with a Floor Footprint greater than 200m². The site size shall be increased by 1 0m² for each 1 m² of house footprint area above 200m².
- Special consideration will be given to existing houses and to proposed developments who can demonstrate Rural Housing Need and comply with EPA guidelines where the minimum size is not totally achievable. i.e. For house sizes, with a site size less than 2000m². The house footprint shall be decreased by 1 m² of house area for each 1 0m² below 2000m².

Delete this DM Standard

DM Standard 10 -Linear Development

~~Linear development is a prevalent issue in the County that is having a detrimental impact on the character of the rural landscape. The Sustainable Rural Housing Guidelines define linear development as five or more houses on any one side of a given 250 metres of road frontage.~~

~~Linear development does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered, or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked. In cases where a development would create or extend linear form of development, the proposal will not be considered favourably. Applicants will be considered favourably if this is the only family owned site available (5 or more in 250m does not apply in this case).~~

DM Standard 18: Rural Enterprise

The Council will consider rural enterprises, and resource development (such as agriculture, agri-food sector, agri-tourism, commercial fishing, aquaculture, marine tourism, forestry, bio-energy, the extractive industry, recreation, cultural heritage, marine enterprise sector, research and analysis) and renewable energy resources (such as wind/ocean energy) in rural and coastal areas within the County subject to considerations of proper planning and sustainable development and shall include the following:

~~a) Existing Buildings The conversion of existing farm buildings in rural areas for small scale employment purposes will be considered subject to policy.~~

**a) Existing Buildings
The conversion of existing farm buildings in rural areas for employment purposes will be considered.**

~~b) Agriculturally Related Industry Agriculturally related industry, involving processing of farm produce where it is unsuited to an urban situation and is environmentally sustainable.~~ **New Buildings will be considered in rural areas for the provision of agricultural related and locally sustainable industry**

~~c) Farm-Related Business~~

~~Business directly related to farming, such as the servicing and repair of farm machinery, land reclamation, drainage work, agricultural contracting etc., where it will not give rise to adverse environmental effects, have safe access and not be prejudicial to residential amenity.~~

c) Farm-Related Business

Business directly related to farming will be considered, such as the servicing and repair of farm machinery, land reclamation, drainage work, agricultural contracting etc .. where it is financially advantageous to locate in a given area and where it will not give rise to adverse environmental effects, have safe access and not be prejudicial to residential amenity.

The following information shall accompany any application:

- The type of business proposed;
- The nature and extent of the work;
- Reason for its location (i.e. justification as to why it is not proposed within settlement centre, etc.);
- Reason for its location (e.g. justification on why it is not proposed within settlement centre, etc.);
- Anticipated levels of traffic generated by the proposal, accessibility, and car-parking;
- The effects on the amenities of the adjoining occupiers particularly in relation to hours of work, noise and general disturbance;
- Whether the proposal requires delivery/shipment of goods and details of same;
- Arrangements for storage and collection of waste. (Materials used or goods manufactured, serviced or repaired in the home-based business must be stored within a building).
- No goods manufactured, serviced or repaired should be displayed so that they are visible from outside the site.
- Should not have any adverse impacts on the amenities of neighbouring dwellings

DM Standard 20: Industrial/Commercial

DM Standard 20: Industrial/Commercial Industrial, commercial enterprise and retail development will be required to satisfy minimum requirements for placemaking, public realm, design, layout, access, landscaping, tree planting, boundary treatment, water supply, surface water disposal, wastewater disposal, solid waste, screened storage areas, fire safety, odour control, emissions control, lighting, parking, manoeuvring space, loading and unloading space, energy efficiency and biodiversity. Care should be taken in the laying out of parking areas to avoid conflict between the movements of customer's vehicles, goods vehicles and pedestrians. Commercial Developments Commercial developments shall be subject to the proper planning and development of the area, specifically the following requirements:

- ~~Advertising Signs – Advertising signs shall be confined to the name of the establishment being painted on or affixed to the façade of the building and illuminated, if required, from an external light source so arranged as not to cause glare to road users or intrusion to adjacent property owners;~~ Advertising Signs - Advertising signs shall not be confined to the name of the establishment being painted on or affixed to the facade of the building. They can be illuminated, if required, from an external light source so arranged as not to cause glare to road users or intrusion to adjacent property owners; Advertising as currently allowed in Planning Regulations Exempted Development will not be disallowed.

- Operating Times - In the case of permitted hot food “take aways” closing time shall be 12.30am;

- Security Shutters - Roll down shutters placed externally on the front façade shall not be permitted. Any necessary security screens shall be inside the shop windows;
- Site Coverage: -For single storey or 6m high, shall not normally exceed 75%; -For two storey or 9m high, shall not normally exceed 60%; -For three storey or 12m high, shall not normally exceed 50%. Industrial Development There shall be a presumption that only industrial processes of appropriate size and whose nature will not cause nuisance or injury to the predominant residential environment of towns and villages, shall be permitted. Industrial development shall be subject to the proper planning and development of the area, specifically the following requirements:
- Hours of Operation - The hours of industrial operation will be controlled where they are likely to result in harm to environmental amenities including residential amenity;
- Noise Levels - Noise levels shall not exceed 55 dB (a) Leq when measured at the boundary of the site;
- Waste Management/Storage - Provision shall be made on site in a screened compound for short-term waste and segregation storage pending collection and disposal. There must be adequate provision for storage of segregated waste (bio-waste/dry recyclables/residual waste) pending collection;
- Advertising Signs - Advertising signs shall be confined to the name of the establishment being painted on or affixed to the façade of the building and illuminated, if required, from an external light source so as not to cause glare to road users or intrusion to adjacent property owners;
- Density - Site coverage shall not normally exceed 75% nor shall plot ratio exceed 1:2;
- Landscaping - A comprehensive professionally prepared planting scheme for the site shall be necessary. The Planning Authority shall also consult relevant Local Area Plans where appropriate that may relate to industrial/commercial/enterprise and retail sites including the site coverage, plot area ratio and public open space requirements.

Home Based Economic Activities

Home based economic activity may be considered. The use must be ancillary in scale and nature to the residential unit, ~~there can be no associated visitors and no impact on neighbouring residential amenity.~~ **Potential Impact on neighbouring residential amenity must be addressed and minimised.**

DM Standard 27: Access to National and Other Restricted Roads for Residential Developments

Additional text in red as follows:

Housing Need Eligibility

a) Residential development along National Roads will be restricted outside the 60kmp speed zones in accordance with the DoECLG Spatial Planning and National Road Guidelines (2012).

Consideration shall be given to the need of farm families to live on the family holding on a limited basis and a functional need to live at this location must be demonstrated. Where there is an existing access, the combined use of same must be considered

and shown to be technically unsuitable before any new access can be considered. Access via local roads shall always be the preferred access.

b)

Proposed access onto any restricted Regional Road outside the 60kmp kph speed zones shall be restricted to members of the farm family on the family holding and on a limited basis only.-Where there is an existing access, the combined use of same must be considered and shown to be technically unsuitable before any new access can be considered. This may require the upgrading and/or relocation of the existing entrance to serve the combined development. Access via local roads shall always be the preferred access. Any new access must be accompanied by a justification for the proposed access.

DM Standard 29: Sight Distances Required for Access onto National, Regional, Local and Private Roads

Additional text in red as follows:

Vehicular entrances and exit points must be designed by the developer as part of a planning application with adequate provision for visibility so that drivers emerging from the access can enjoy good visibility of oncoming vehicles, cyclists and pedestrians. Where a new entrance is proposed, the Planning Authority must consider traffic conditions and available sight lines. Road junction visibility requirements shall comply with Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) (DN-GEO-03060) for rural roads and Design Manual for Urban Roads and Streets for urban roads (including any updated/superseding document).

Where substantial works are required in order to facilitate the provision of adequate sight distances lands within the sight distance triangles shall be within the control of the applicant and shall be subject of a formal agreement with the adjacent landowner which ensures certainty that the applicant is in a position to comply with the relevant condition and or standard.

Exit Visibility Check

Visibility splays shall be measured a minimum distance of 2.4m from the edge of the carriageway ('x' distance) or as determined by Galway County Council. In limited instances this may be reduced 2.0m in difficult circumstances on urban roads.

Site visibility requirements shall be provided within the development boundary of the site or on lands in the control of the applicant or lands in public ownership.

A Letter of consent from adjoining property owners will be required in order to achieve sightlines, and these works to be carried out in advance of commencement of construction of the dwelling house.

Entry Visibility Check

A vehicle turning into the proposed development shall be visible to an approaching vehicle for a distance of Yin order to avoid a rear end collision. A vehicle turning right into the proposed development shall have a forward visibility to the centre of the opposite lane for a distance of Y to ensure they can safely cross the path of an on-coming vehicle.

On narrow Local Roads with poor horizontal and vertical alignment and where the 80 km/h speed limit applies, the design speed applied for access visibility requirements should be the speed (km/h) that one can drive the road in a safe manner (Effective Speed). This can be assessed as the 85th percentile speed drivers travel on the road. The visibility will then be assessed on the 85th percentile speed for that road. In general, where the capacity, width, surface condition or alignment of the road is deemed inadequate, development will not be favoured unless a detailed robust upgrade proposal is submitted to the Planning Authority.

DM Standard 31: Developments on Private Roads

Additional text in red as follows:

The following shall apply to development on a private road:

a) Where development is proposed on a private road, the safety and capacity of the junction of the private road with the public road shall be a consideration by the planning authority. The applicant should demonstrate that the sightlines are in compliance with DM Standard 31 of the GCDP 2022-2028 at the junction of the private road and local road, in their planning application.

b) Where an applicant proposes development on a private road, they shall satisfactorily demonstrate to the Planning Authority comprehensive evidence by way of legal documentation and associated maps of a right of way agreement and the requisite consent of the relevant parties to utilise the existing infrastructure and/or to indicate works along the proposed access route for the purpose of installing, repairing and/or upgrading infrastructure so as to render the development site adequately equipped to serve the proposed development.

c) In general, where the capacity, width, surface condition or alignment of the private road is deemed inadequate development will not be favoured, until an adequate suitable road improvement works plan is submitted to the Planning Authority.

DM Standard 33: Controls for Sign age along Public Roads

a) Licensing System

The Planning Authority will operate a licensing system for certain permanent signs and structures on public roads that are not exempt under Planning Regulations.

(b) Rural Areas

~~Advertising signs will~~ will be restricted along roads in rural areas outside the boundaries of towns and villages save for a limited number, e.g. those exempt under Planning Regulations and those which relate to heritage or tourist attractions and which are of national interest. ~~not be permitted along roads in rural areas outside the boundaries of towns and villages save for a limited number, which relate to heritage or tourist attractions and which are of national interest~~

c) Towns, Villages & Settlements Areas

Within towns, villages and settlement areas, no signage will be permitted where it may constitute a hazard or obstacle for pedestrians or road users or where the location of such signage may obscure sight distances at junctions or cause undue or necessary distraction to road users. The proliferation of non-road traffic signage on and adjacent to all roads outside of the 50-60kmh speed limit area shall be avoided in the interest of traffic safety and visual amenity, in accordance with the Spatial Planning and National Road Guidelines for Planning Authorities 2012 (or any

updated/superseding document). Signs should not impair the setting of any archaeological or historical site or any proposed or protected building or structures within an Architectural Conservation Area (ACA).

d) Fingerpost Signs

The system for fingerpost signs, which relate to premises, and are located away from major routes will operate on the basis of any future policy document prepared by Galway County Council in relation to finger post signs. ~~Signage in the Gaeltacht shall be in the Irish Language only.~~ **Signage in the Gaeltacht shall be bilingual with prominence the Irish Language.**

DM Standard 32: Parking Standards

Delete text with strikethrough and additional text in red as follows;

Whilst this Plan promotes a modal shift away from the private car to more sustainable modes of transport, the car will continue to be an important mode of transport, and therefore there will normally be a requirement to provide car parking as part of a development. ~~Car parking should be located to the rear of building lines where possible.~~ Large areas of car parking should be accompanied by a landscaping plan to mitigate the visual impact of same. In assessing applications for change of use or for replacement buildings within towns and villages, an allowance will be given for former site use in calculating the car parking requirements generated by the new development. **In relation to infill sites and sites adjacent to public transport corridors or civic parking facility, a flexible application of standards will be considered.** In addition to car parking, sufficient space will be required within a development site for all service vehicles necessary for the operation of the business or building, including drop-off areas, loading/unloading areas etc. In relation to Car Parking Design Standard Dimensions refer to Section 16 of the DoEHLG/DoT/DTO Traffic Management Guidelines and to the Metric Handbook Planning and Design Data (3rd Edition) and to the Design Manual of Roads and Streets DMURS (as amended).

DM Standard 34: Traffic Impact Assessment, Traffic & Transport Assessment, Road Safety Audit & Noise Assessment

All new road layouts should be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS) and the Design Manual for Roads and Bridges (DMRB). Development proposals should also include provision for a sustainable modal split, with pedestrian and cycling facilities recognised as an important aspect of new design proposals. ~~All significant~~ **Major** development proposals or those that the Planning Authority consider would pose a safety risk or traffic impact ~~that~~ **as deemed by Galway County Council Roads Section, might pose a safety risk or serious** traffic impact shall be accompanied by road safety audits, road safety impact assessments and transport and traffic assessments. These shall include a consideration of the cumulative impact of development on the road network.

Rest of DM Standard text to remain same

DM Standard 37: Public Water Supply and Wastewater Collection

The following is to be deleted and new DM Standard in red as follows

~~DM Standard 37: Public Water Supply and Wastewater Collection~~

~~All new developments will be required to utilise and connect to the public water and wastewater network, where practicable. Applicants who need to get a new or~~

~~modified connection to public water supply or wastewater collection infrastructure must liaise with Irish Water.~~

All new developments that propose to utilise and connect to the public water and wastewater network, where practicable. Applicants who need to get a new or modified connection to public water supply or wastewater collection infrastructure must assure themselves that connection to this supply is possible.

~~Where the applicant has concerns about the feasibility of connecting to the public network, they should make a pre-connection enquiry to Irish Water in order to establish the feasibility of a connection in advance of seeking planning permission.~~

Where the applicant has concerns about the feasibility of connecting to the public network, they should make a pre-connection enquiry to Irish Water in order to establish the feasibility of a connection in advance of seeking planning permission.

DM Standard 39: Effluent Treatment Plants

The suitability of a site for the treatment of wastewater shall be determined, in accordance with the criteria set down in the EPA Wastewater Treatment Manuals (1999, 2009) or any revision or replacement of these manuals or any guidelines issued by the EPA concerning the content of these manuals.

- For single houses the EPA Wastewater Treatment Manuals-Treatment Systems for Single Houses 2009 (including any updated or superseding document) shall apply;

- For larger developments (where appropriate) the EPA Wastewater Treatment Manuals-Treatment Systems for Small Communities, Business, Leisure Centres and Hotels shall apply.

The following requirements shall apply with respect to effluent treatment facilities:

~~a) Single Houses~~

~~Each dwelling house shall be serviced by its own septic tank or treatment plant and shall not share this facility with any other dwelling other than in exceptional circumstances.~~

a) New Single House

Each dwelling house shall be serviced by its own septic tank or treatment plant and shall not share this facility with any other dwelling other than in legacy sites and exceptional circumstances.

b) Clustered Housing

In the case of clustered housing schemes, public (Irish Water) wastewater connection is encouraged. In the case of unserved villages, private wastewater treatment plants for each dwelling shall be permitted where the treatment systems are in compliance with the standards in the Environmental Protection Agency (EPA), Code of Practice for Wastewater Treatment Systems for Single Dwellings.

c) Certification Certification will be required that septic tanks have been de-sludged in accordance with EPA Guidelines. The following will be a requirement of Planning Permission:

- Design Details - Design calculations supporting the selection of a particular type and size of system;
- Maintenance - A maintenance agreement specifying associated terms and conditions;

- Certification - Certification that septic tanks have been de-sludged in accordance with EPA Guidelines.

DM Standard 44: Tourism Infrastructure and Holiday Orientated Developments

Text to be deleted with strikethrough and new text in red

~~While seeking to ensure that most tourism development locate in or close to towns and villages, the Council recognises that by its nature, some tourism development may require other locations.~~

While seeking to ensure that tourism development in towns and villages flourishes, the Council recognises that by its nature, some tourism development may require other locations.

Developments that may be open to consideration outside settlement centres include: indoor and outdoor recreation facilities, golf courses, swimming, angling, sailing/boating, pier/marina development, equestrian and pony trekking routes, adventure/interpretative centres and associated ancillary uses, tourist related leisure facilities including walking and cycling.

~~In these circumstances the Council shall promote the reuse of existing buildings outside of settlements for holiday homes/guest accommodation where it can be demonstrated that the redevelopment work is bona fide (replicates and/or is similar in scale and design to the existing building) and will not have significant adverse impact on the environment.~~

The Council shall promote the reuse of existing buildings for holiday homes/guest accommodation where possible. Consideration will be given in the provision of new dwellings where it can be demonstrated that the proposal to locate on a particular site is bona fide and is made by applicants who have satisfied that they comply with the requirements of RH2 and that their proposal will not have a significant adverse impact on the environment.

a) Tourism Infrastructure Development

The Council recognises that golf courses and certain other tourism infrastructure facilities may require ancillary facilities (e.g. club houses, hotel, holiday or short term letting residential accommodation/development and other associated tourism related facilities) to ensure long term viability. Where the provision of such facilities complies with the other requirements of the County Development Plan as set out and the requirements of proper planning and sustainable development, the Council will consider the provision of same subject to the submission of the following:

- Comprehensive justification of need for the facility;
- Overall master plan of the facility;
- Documentary evidence of compliance with the other requirements of the Development Plan.

b) Holiday Orientated Developments

Holiday villages shall have regard to the following:

- The scale of the development should be of modest proportions and should relate to the size of the settlement;
- The design of the scheme should be to a high standard and should include the preservation of boundary characteristics and significant site features as well as car parking provision, segregated waste storage area, public lighting;

~~• In general, stand alone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be permitted in the open countryside. In exceptional cases, where it can be demonstrated that facility is dependent on physical or locational constraints which are site specific, consideration may be given to such facilities;~~

- In general, new standalone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be encouraged in the open countryside

- Consideration may be given to facilities such as; Existing schemes can be extended or added to where it can be demonstrated that the facility is well established and there is justification or need for the extra accommodation.

• All new developments must have regard to the Galway Design Guidelines for the Single Rural House.

Chief Executive's Response:

The amendment proposed here is ambiguous and may lead to confusion as to the standard required. Therefore the recommendation is for no change to the text.

It is considered that the provision of a granny flat/relative accommodation was to provide for additional living accommodation with the support of the occupants of the established dwelling. This amendment seeks to essentially provide for two separate dwelling units on an established single site. This is not considered appropriate in terms of density and residential amenity.

See Recommendation to Submission GLW-C10-1377. This amendment is similar in spirit to that recommendation.

The amendment proposed here is ambiguous and may lead to confusion as to the standard required. Therefore the recommendation for no change to the text.

The DM standards relates to substantiated cases with respect to the provision of a granny flat and therefore this amendment does not hold the spirit of the standard or policy. The original text to remain is recommended.

The DM standards relates to substantiated cases with respect to the provision of a granny flat and therefore this amendment does not hold the spirit of the standard or policy. The original text to remain is recommended.

The amendment proposed here is ambiguous and may lead to confusion as to the standard required. Therefore the recommendation is for no change to the text.

The amendment proposed here is ambiguous and may lead to confusion as to the standard required. Therefore the recommendation is for no change to the text.

The amendment to the text does not accord with the best principles of design and would not comply with the design guidelines for rural housing.

The amendment proposed here is ambiguous and subjective and may lead to confusion as to the standard required. Therefore the recommendation for no change to the text.

The amendment proposed here is ambiguous and subjective, and may lead to confusion as to the standard required. Therefore the recommendation is for no change to the text.

This deletion is not in accordance with the Sustainable Rural Housing Guidelines, therefore it is not considered appropriate to delete the DM Standard.

Certain standards will apply to all developments and the omission of the words subject to policy may be misleading to any potential applicant, therefore no change to the existing wording in the Draft County Development Plan is recommended.

Certain standards will apply to all developments and the omission of the words subject to policy may be misleading to any potential applicant. It is not appropriate to reference costings and financial parameters within a DM Standard.

The amendment proposed here is ambiguous and may lead to confusion as to the standard required. Therefore the recommendation is for no change to the text as proposed.

This amendment involves the reference to exempted development regulations, which is secondary legislation, and the inclusion into a DM standard in a Development Plan is not considered appropriate, therefore recommendation for no change to the original text is proposed.

The amended wording is not considered appropriate because the wording is ambiguous and the impact of adjoining residential properties should be considered at all times.

As per OPR Recommendation No. 14.

The amended text to DM Standard 29 is not considered appropriate. The original wording is in accordance with **TII publication – Geometric Design of Junctions (DN-GEO-03060)**.

The proposed wording is not considered appropriate and unambiguous in relation to consents and ensuring safe access/egress from potential developments.

This wording is not required as it will lead to a variance in standards being assessed in the county as a whole. Each planning application will be assessed on its context and it is not considered appropriate to deviate from these agreed national standards.

The wording as proposed would lead to ambiguity, reliant on certain works being carried out by third parties to facilitate access/egress to a development.

This amendment involves the reference to exempted development regulations, which is secondary legislation, and the inclusion into a DM standard in a Development Plan is not considered appropriate, therefore the recommendation is for no change to the original text as proposed.

There is a legal requirement to only provide signage as Gaeilge in the Gaeltacht area. Therefore no change to the original text.

This wording is as per the DM Standard that was published as part of the Draft Plan.

This wording is ambiguous and would lead to confusion.

Irish Water is the utility provider, with respect to public mains water supply, and therefore it is considered prudent in the interest of public health to liaise with the provider with respect to the public water supply. Therefore, it is considered appropriate that there is no change to the original text.

The amendment proposed here is ambiguous and may lead to confusion as to the standard required. Therefore the recommendation for no change to the text.

The revised wording is considered satisfactory and therefore, the recommendation is to replace the original text with the proposed wording.

The wording as proposed in the Draft County Development Plan is considered sufficient to address the concerns raised and therefore, the proposed amendment is not required.

There is a legal requirement to only provide signage as Gaeilge in the Gaeltacht area. Therefore no change to the original text is recommended.

The revised wording is considered satisfactory and therefore the recommendation is to replace of the original text with the proposed wording.

Chief Executive's Recommendation:

DM Standard 44: Tourism Infrastructure and Holiday Orientated Developments

~~While seeking to ensure that most tourism development locate in or close to towns and villages, the Council recognises that by its nature, some tourism development may require other locations.~~

While seeking to ensure that tourism development in towns and villages flourishes, the Council recognises that by its nature, some tourism development may require other locations.

DM Standard 44: Tourism Infrastructure and Holiday Orientated Developments

b) Holiday Orientated Developments

Holiday villages shall have regard to the following:

- The scale of the development should be of modest proportions and should relate to the size of the settlement;
- The design of the scheme should be to a high standard and should include the preservation of boundary characteristics and significant site features as well as car parking provision, segregated waste storage area, public lighting;
- ~~In general, stand alone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be permitted in the open countryside. In exceptional cases, where it can be demonstrated that facility is dependent on physical or locational constraints which are site specific, consideration may be given to such facilities;~~
- In general, new standalone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be encouraged in the open countryside;

- **Consideration may be given to facilities such as; Existing schemes can be extended or added to where it can be demonstrated that the facility is well established and there is justification or need for the extra accommodation;**
- All new developments must have regard to the *Galway Design Guidelines for the Single Rural House*.

DM Standard 4 – House Extension

Mr. Dunne stated that the wording as proposed was open-ended and ambiguous and would not be recommending this wording.

Cllr. Walsh advised that he wished to withdraw this section of motion.

DM Standard 6 – Domestic Garages (Urban and Rural)

Mr. Dunne advised that CE would not be in agreement with proposed wording. Ms. Loughnane stated we were trying to give some guidance in relation to 2nd bullet point as there was ambiguity in proposed wording as presented.

This was already dealt with in earlier Motion by Cllr. Byrne. Noted by Members.

DM Standard 8 – Site Selection and Design

Mr. Dunne advised that proposed wording was very open-ended in first bullet point.

Cllr. Walsh agreed to withdraw wording in first bullet point.

In relation to second bullet point, Cllr. Walsh stated that he didn't see why the word "simple" had to be included in it and suggested that was so as to make it harder for applicants to get planning permission. Cllr. Walsh raised concerns as to how Members have been treated through the Development Plan process by the Officials.

Mr. Cullen said he was going to repeat himself again in relation to earlier comments. He stated that by in large the contributions have been respectful of roles they have to fulfill. He stated that there was no issue in Members getting their points across but there was no need to have a throw-away quip at the end of each comment. He asked Cllr. Walsh to make his points without adding personal remarks and to do that was unnecessary and disrespectful.

Cllr. M. Connolly suggested that they deal with issues in a pragmatic way as they all have a job to do at the end of the day and it was important to respect each other.

In response to a query from Cllr. Murphy in relation to sites that slope away from the roadway and integration of garage into footprint of house, Ms. Loughnane advised that were some sites that render themselves to that and there was nothing here that would prevent that happening in the future. She advised that if it was integrated into individual house, it was something that would be dealt with on a case-by-case basis and confirmed they would continue to do that.

Cllr. Walsh stated that he wished to withdraw the remainder of the Motion.

Cllr. Killilea, stated that there was a lot of possible amendments in the submission made by Cllrs. Roche and Walsh and would not like it to be removed in its entirety. He suggested that there may be an impression out there that some Members have received a bit more assistance than others in this process. He stated that in his experience he had received great assistance from the Forward Planning Unit and he emphasized the importance of giving and receiving respect on all the discussions before them. He suggested that they would simplify the proposed response and vote on motions before them and it was important to move on this.

Ms. Loughnane disagreed with the comments made by Cllr. Killilea. She stated that the Forward Planning Unit were happy to advise and help any Member and were available to every Member at all times during this process and did not want the impression given that some Members were treated differently as this was not the case. She stated that she wanted to make sure that what goes back on public display was as clear to public as possible.

Cllr. Killilea stated that that was not what he had meant and apologized for the misunderstanding. He complimented the level of work being carried out by the Forward Planning Team and stated that he didn't know any other Council that has such a dedicated planning team in Planning, and he had been the beneficiary of such advice. He said that most of the long battles that took place had been between Councillors themselves.

Mr. Owens stated that it has been a lengthy process and advised that there were still quite a few submissions that required to be worked through and suggested they continue in dealing with the outstanding submissions. He asked Cllrs. Walsh & Roche to clarify status of their submission and what point in the submission did they wish to withdraw. **Both Cllr. Walsh and Cllr. Roche indicated that they wished to withdraw the remaining portion of their submission.**

Cllr. Thomas stated that there was a clear difference in the opinions of the Members and Planning Staff in relation to interpretation of DM Standards. Cllrs. Thomas & O Cualáin stated that they were both disappointed with the withdrawal of this motion. An Comh. O Cualáin suggested that it was more frustration than malice on Cllr. Walsh's behalf. Cllr. Byrne suggested they needed to develop policy papers to give a better understanding of what was in DM Standards going forward and suggested moving on to next motion. Cllr. Geraghty queried if he could resubmit this motion which would allow it to be debated by the Members in the event of fairness. Mr. Owens advised that it was up to the Members to submit a motion if they so wished and advised it would need to be clear as to what they were proposing. Cllr. Geraghty advised that he would be submitting a motion on this.

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Mr. Dunne gave a brief outline of the proposed changes in submission and read CE Response and Recommendation. He advised that some of the amendments had already been dealt with under previous submission by Cllr. Killilea.

DM Standard 5 – Dependent Relative Accommodation/Granny Flats (Urban and Rural) **Include Mamo Mews as part of descriptor following Granny Flats**

Delete the following bullet points that have ~~strikethrough~~

Proposals for this accommodation should demonstrate:

- A bona-fide need for such a unit;
- ~~A physical connection to the main house with direct access to the main dwelling;~~
- That the proposal does not impact adversely on either the residential amenities of the existing property or the residential amenities of the area;

That the accommodation can revert back to being part of the original house when no longer occupied by a member of the family.

All applications for family flat development shall comply with the following criteria:

- ~~The flat shall form an integral part of the structure of the main house with provision for direct internal access to the remainder of the house i.e. not detached;~~
- The flat shall be modest in size and shall not have more than one bedroom (2 bedrooms in exceptional circumstances). The unit shall not exceed a gross floor area of 50 square metres;
- ~~The flat shall not have a separate access provided to the front elevation of the dwelling;~~
- There shall be no permanent subdivision of the garden/private amenity space;
- The flat shall remain in the same ownership as that of the existing dwelling on site. In this regard, the flat shall not be let, sold or otherwise transferred, other than as part of the overall property;
- ~~The design proposed shall enable the flat to easily fully revert to being part of the original house when no longer occupied by the family member(s);~~

If the site is not connected to public mains, the existing wastewater treatment system on site must be capable for any additional loading from the flat, and if not proposals should be submitted to accommodate the additional loading

Chief Executive's Response:

See Recommendation to Submission GLW-C10-1377.

The DM standards relates to substantiated cases with respect to the provision of a granny flat and therefore this amendment does not hold the spirit of the DM Standard. The original text to remain is recommended.

Chief Executive's Recommendation:

No Change.

It was noted that some of issues were already dealt with under a previous submission by Cllr. Killilea.

The CE Recommendation was proposed by Cllr. Killilea, seconded by Mr. Sheridan and agreed by the Members.

**It was proposed to go back to Volume 2 – Environmental Reports -
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Mr. Dunne outlined the issues raised in the very comprehensive submission and read CE Recommendation and Response.

There is a climate emergency (happening now, not in the future). The plan and Strategic Flood Risk Assessment does not address or reflect the importance of this emergency.

There is no flood emergency response plan which the public are aware of, to manage what happens when the coast road, access to the railway station, the Maree Road at the Oranhill junction (see planning reference 21408 which suggests the council is fully aware of these issues) and parts of Maree flood during morning or evening rush hour. Spring tides generally occur at 6am or 6pm, in winter if a storm coincides with these times it is dark and potentially extremely hazardous.

Flood zones should be based on the latest data available and use future flood probability under climate change scenarios, not present day probability. Climate change is not properly considered. The latest coastal extreme sea level analysis (ICWWS 2018 study) data has not been used in the SFRA (the figure below is a screenshot from www.floodinfo.ie and shows how the probability of extreme sea levels will change in the future). It is worth noting the ICWWS 2018 present day levels are different from those used in the CFRAM study.

This data shows that the Medium Range Future Scenario (MRFS) 50% Annual Exceedance Probability (AEP) flood (the 1 in 2 flood) has an equivalent flood level to the present day 0.5% AEP (1 in 200 flood) extent used in the Strategic Flood Risk Assessment (SFRA) for this county development plan land use zoning decisions. The latest MRFS 10% AEP (1 in 10 flood) level is equivalent to the 0.1% AEP (1 in 1000 flood) level used in the SFRA. The MRFS is likely to be the conditions in 2070 to 2100. It is also worth noting that the Catchment Flood Risk Assessment and Management (CFRAM) data used to inform the SFRA do not include for any wave overtopping. The CFRAM study scope was only to map the flood hazard and risk from storm surge and astronomical tide only. We all know from experience of coastal floods on the Coast Road since 2013 that wave overtopping plays a part.

The Garraun zoning map has not been subject to a level 2 SFRA to consider flood risk to the proposed zoning, resilience and adaptation to climate change. This is a critical omission as the draft development plan has not been subject to the justification test based on the best available information and so does not follow the Guidelines for Local Authorities for planning and flood risk. This is important because it is unacceptable to expose people and future property to flood hazard along the coast road. Specific points not addressed, to ensure the proposed development plan is sustainable, include continued resilience of communities, infrastructure transport

networks (including safe access and egress) and property to flood risk.

I note that there is no new detailed flood hazard mapping of any of the MASP settlements. As these are critical to delivering the core strategy, flood risk constraints should be understood in greater detail than the CFRAM study, especially as the new ICWWS2018 coastal flood level data is now available.

There is also no consideration of the role of biodiversity and nature based solutions in managing flood risk and coastal erosion.

There is no consideration of how to ensure continued resilience to flooding of coastal communities under climate change. With the Garraun land zoning, if access to the R446 cannot be secured, the main access and egress for a significant population will be through current flood zones, with increased flooding under climate change scenarios.

The contribution of the proposed green infrastructure networks (referenced throughout the plan volumes, SFRA and NIR reports) to reducing flood risk through the strategic zoning of land for flood risk management. By strategic I mean the potential for land to:

Reduce runoff rates through land use change and management practises, thus reducing downstream river and surface water flood risk.

- Increased and reconnected floodplains to attenuate river flows and reduce downstream flood risk.
- Targeted retrofit of Sustainable Drainage Systems (SuDS) features to reduce inflow to storm drainage networks to reduce urban flood risk, reduce discharge rates to watercourses and also reduce the potential for sewer flooding from combined sewer outflows and misconconnections to the foul sewer network.

All of the above should be considered to manage existing and potential future flood risk. They also all have notable benefits in terms of carbon sequestration, improving water quality and enhancing biodiversity

Chief Executive's Response:

The Plan and SFRA have been prepared in accordance with legislative and other requirements, including the Ministerial Guidelines on "The Planning System and Flood Risk Management". Both documents recognise and help to address issues relating to climate change. The Plan is one part of the overall planning framework which extends from national to local authority level and covers issues such as land use planning and flood risk management.

It is not within the scope of the Plan or SFRA to provide for a flood emergency response plan.

Flood Zones must be based on present day risk. This is required by the Ministerial Guidelines on the topic. The SFRA and the Plan consider climate change in the context of flood risk and measures have been integrated into the Plan in order to ensure that the implications of climate change are taken into account at lower levels of decision-making.

The SFRA has been informed by available information on flood risk, including mapping of present day risk provided by the Irish Coastal Protection Strategy Study. As identified in Section 1.5 of the SFRA:

“It is important to note that compliance with the requirements of the Flood Risk Management Guidelines is currently based on emerging and best available data at the time of preparing the assessment, including Flood Risk Management Plans, which will be updated on a cyclical basis as part of CFRAM activities. The SFRA process for the Draft Plan is ongoing and will be updated as relevant, including to take account of any Material Alterations that arise during the Plan- preparation process.

Following adoption of the Plan, information in relation to flood risk may be altered in light of future data and analysis, by, for example, the OPW, or future flood events. As a result, all landowners and developers are advised that Galway County Council and their agents can accept no responsibility for losses or damages arising due to assessments of the vulnerability to flooding of lands, uses and developments. Owners, users and developers are advised to take all reasonable measures to assess the vulnerability to flooding of lands and buildings (including basements) in which they have an interest prior to making planning or development decisions. Any future SFRAs for the area will integrate other new and emerging data.”

The Plan and SFRA have been prepared in accordance with legislative and other requirements, including the Ministerial Guidelines on “The Planning System and Flood Risk Management”. Both documents have been prepared with the appropriate level of detail and recognise and help to address issues relating to climate change, addressing the scope of requirements set out in the Guidelines. Please refer to the SFRA document and associated Appendix II for information on flood risk indicators and flood zones, including those in Garraun.

The Plan is one part of the overall planning framework which extends from national to local authority level and covers issues such as land use planning and flood risk management.

Chief Executive’s Recommendation:
See OPR Recommendation No.15 and OPW

CE Recommendation is to comply with OPR Recommendation 15. Noted by Members.

GLW C10-664 TOM SAMPSON

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

He advised that the Submission made the following observations on the Natura Impact Report which is to be used as the key evidence base for the Appropriate

Assessment process by the Competent Authority.

1. Natura 2000 site specific management plans

The council should push for the production of Natura 2000 designated site conservation management plans as these are key documents to inform the development plan, and subsequent developments. Without these site-specific management plans it is significantly more challenging for proposed developments to be designed in a manner which is complementary to biodiversity objectives for the protection and enhancement of species and habitats of European interest.

2. Ecological corridors as integral parts of the Natura 2000 network

There is no mention here of key ecological corridors and features in Oranmore. The focus on settlement boundaries means that the spatial scale of ecological features and corridors cannot be fully considered on a strategic basis. The lack of evidence as to key connections between habitats and use of habitats is not established. The omission of this baseline means that the plan is not fully holistic. We know for certain that there are notable populations of the following species that are not considered:

- Bat roosts, and foraging corridors
- Links between the wetland habitats
- Woodlands, hedgerows and treelines.
- Mammals such as otter, badger and red squirrels.
- Coastal and rocky shore habitats
- Trout in the rivers.

To account for this the lands at Carrowmoneash between Oranmore Bridge and the Dual Carriageway should be considered as an extension to the Galway Bay Complex SAC. Ecological corridors between EU designated sites of Creganna Marsh SPA, Inner Galway Bay SPA and Galway Bay Complex SAC as well as other local and nationally important habitats. These should be clearly defined within the land use zoning plans.

3. Natura 2000 site specific conservation objectives The plan also takes no account of the Natura 2000 site objectives to protect and restore, and how this affects the land use. Land is zoned as open space, recreation and amenity but this does not ensure clear biodiversity or amenity objectives can be achieved. Where no site specific monitoring or information on favourable conservation status of habitats or species is available, then the Habitats Directive Article 17 reports should be used to inform the assessment of whether qualifying interests are in favourable conservation status or not. This information should set the baseline as to the actions needed to “protect or “restore” this status. Mitigation measures should be specific on this point.

4. Specific observations on the NIR

Table 3.1 Screening of European Sites, Table 4.1 Characterisation of Potential Effects arising from the Plan.

The current conservation status of Natura 2000 sites has not been documented in the AA Screening or NIR reports. For many of the Natura 2000 sites there is no site-specific management plan (specifically, Creganna Marsh SPA, Inner Galway Bay SPA, and Galway Bay Complex SAC). Ireland's reporting under art.17 of Habitats Directive and art.12 of Birds Directive must be considered in the assessment, particularly in the absence of a Management Plan. This has not been considered in

the Appropriate Assessment Screening or NIR.

A precautionary approach must be taken for Impacts (without avoidance & mitigation measures considered significant - when there is insufficient information to quantify / estimate the impact and the site-specific conservation objective data suggests an unfavourable CS and / or a small size population.

The County Council, as Competent Authority, must satisfy themselves that the Appropriate Assessment has no lacunae is based upon a precautionary approach. We expect this to be confirmed with evidence to justify the decision.

4. Specific observations on the NIR Section 5 - Mitigation Measures

Policy Objectives: NHB 1, NHB 2, NHB 3, NHB 4, NHB

5, NHB 6, NHB 7 and NHB 8

TWHS 1, TWHS 2 and TWHS 3

In the absence of any details on whether habitats or species are currently in favourable conservation status, lacunae remain and so it is not possible for the County Council, as Competent Authority to determine whether the mitigation measures proposed are effective.

Specifically, I refer to:

- No direct land take or habitat loss will occur due to the implementation of the plan either within any European sites or any connectivity corridors necessary to support the ecological integrity of the site, due to policy objectives such as: NHB 1, NHB 2, NHB 3, NHB 4, NHB 5, NHB 6, NHB 7 and NHB 8.

Protection against the removal of hedgerows is provided for in the plan via policies such as: TWHS 1, TWHS 2 and TWHS 3.

The mitigation measure is well intended, but there is no evidence to demonstrate how these policy objectives and policies will be effective in ensuring no significant adverse effect.

The Natura Impact Report (NIR) therefore does not demonstrate that the mitigation measures would be effective in avoiding or reducing impacts

4. Specific observations on the NIR Section 5 - Mitigation Measures NHB 5

If policy objectives are to be used as mitigation, they need to be fully detailed with no lacunae in the information documented to demonstrate their effectiveness in avoiding or reducing impacts to site specific conservation objectives.

There is no information in the NIR to give sufficient confidence that the policy NHB 5 to “support the protection and enhancement..” will have the desired effect? Specifically, there is no detail on how the ecological network is defined or mapped. I am not aware of any mapping that can be used as the baseline to confirm ecological corridors in the context of Article 10. It is therefore critical that the NIR document explains in detail how the public or the Competent Authority can be confident that the core strategy, and individual planning applications will not adversely affect ecological connectivity and corridors

NHB 5 Ecological Connectivity and Corridors. Support the protection and enhancement of biodiversity and ecological connectivity in non-designated sites, including woodlands, trees, hedgerows, semi-natural grasslands, rivers, streams, natural springs, wetlands, stonewalls, geological and geo-morphological systems, other landscape features and associated wildlife areas where these form part of the ecological network and/or may be considered as ecological corridors in the context of Article 10 of the Habitats Directive.

Section 5 – Mitigation Measures

All
There is insufficient assessment of the material alterations in the NIR that the SEA Environment Report identifies significant adverse effects. There is therefore lacunae in the NIR through the lack of assessment and if necessary lack of mitigation measures to avoid or reduce effects.

4. Specific observations on the NIR

General Impact of the Core Strategy as a whole.

There is no clear assessment of the core strategy as a whole, and the avoidance of impacts is entirely reliant upon the implementation of the County Development Plan policies. There are no details on how these policies will be implemented or enforced to avoid or reduce impacts so that favourable conservation status can be achieved.

Chief Executive's Response:

Noted.

Policy Objective NHB 10 (please refer to the Draft Plan document) addresses this issue appropriately:

Article 6(1) of the Habitats Directive requires that Member States establish the necessary conservation measures for European sites involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans. The NPWS's current priority is to identify site specific conservation objectives; management plans may be considered after this is done. Where Integrated Management Plans are being prepared by the NPWS for European sites (or parts thereof), the NPWS shall be engaged with in order to ensure that plans are fully integrated with the Plan and other plans and programmes, with the intention that such plans are practical, achievable and sustainable and have regard to all relevant ecological, cultural, social and economic considerations, including those of local communities.

Various provisions have been integrated into the Plan that will ensure the appropriate protection of European sites and wider biodiversity and flora and fauna. These measures include those which have been integrated into Chapter 10 "Natural Heritage, Biodiversity and Green Infrastructure" (please refer to the Draft Plan document).

The AA has taken into account relevant information on European sites in assessing Plan provisions, including land use zoning provisions. As detailed in the documents associated with the Draft Plan (please refer to the Natura Impact Report that accompanies the Draft Plan), Article 17 conservation status reporting and data has been taken into account.

Various provisions have been integrated into the Plan to allow the AA to conclude that:

"Having incorporated mitigation measures, it is concluded that the Draft Galway County Development Plan 2022-2028 is not foreseen to give rise to any adverse effects on the integrity of European Sites, alone or in combination with other plans or projects. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated."

These measures are identified in Section 5 Mitigation Measures (please refer to AA Natura Impact Report that accompanies the Draft Plan).

As identified in Section 3.2 of the Natura Impact Report, the conservation objectives for each of the sites were considered. In the absence of site-specific conservation objectives, the NPWS generic conservation objectives were considered (as identified in Section 4.3).

The data supporting Article 12 and 17 reports was also considered, as identified in Section 3.2. Furthermore, the known threats and pressures for each site were considered as identified in Appendix II.

Table 4.1 details the known threats and pressures for each of the sites with pathways for potential effects. This table also details the mitigation measures which address each of these issues with respect to the Plan.

It is important to note that the Plan is a decision-making framework to co-ordinate future development within the County. The identification of the location, nature and magnitude of sources for effects is therefore not possible at this point in all circumstances. The measures presented in Table 5.1 of the Natura Impact Report identify the Plan's policies and objectives which must be complied with by future developments under the Plan; these measures are robust and show consideration for the known threats and pressures of the European sites identified – as well as the conservation objectives.

The information presented in the NIR support the conclusion that:

“Having incorporated mitigation measures, it is concluded that the Draft Galway County Development Plan 2022-2028 is not foreseen to give rise to any adverse effects on the integrity of European Sites, alone or in combination with other plans or projects . This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.”

These measures are identified in Section 5 Mitigation Measures (please refer to AA Natura Impact Report that accompanies the Draft Plan).

NHB 1 , NHB 2 and NHB 3 are detailed below for clarity. These measures will help to ensure that all lower tiered plans, programmes and projects facilitated by the Plan will not have significant effects on European sites through the completion of site-specific AA processes and the incorporation of ecological enhancements, where possible, to improve functionality of European sites. The existing condition of the European sites is not a consideration with respect to the CDP as the CDP only introduces sources for effects for future developments as it is a development framework.

The Plan will be implemented through the normal planning procedures where all future plans or planning applications under the Plan will need to demonstrate compliance with Plan provisions, including mitigation measures, in order to be adopted or granted permission.

It is important to note that the Plan is a decision-making framework to co-ordinate future development within the County. The identification of the location, nature and magnitude of sources for effects is therefore not possible at this point in all circumstances. The measures presented in Table 5.1 of the Natura Impact Report identify the Plan's policies and objectives which must be complied with by future developments under the Plan; these measures are robust and show consideration

for the known threats and pressures of the European sites identified – as well as the conservation objectives.

The Plan will be implemented through the normal planning procedures where all future plans or planning applications under the Plan will need to demonstrate compliance with Plan provisions, including mitigation measures, in order to be adopted or granted permission.

The lacunae refers to the absence of detail relating to the processes around the implementation of the CDP. However, the Plan will be implemented through the normal planning procedures where all future plans or planning applications under the Plan will need to demonstrate compliance with Plan provisions, including mitigation measures, in order to be adopted or granted permission.

Therefore, it is not necessary to state national processes and procedures that are well understood in order to fully assess the compliance of the Plan from an AA perspective.

The core strategy of the Plan is implemented through policies and objectives of the Plan.

The county development plan is a procedural guide for the coordination of future developments within the plan area. The entire purpose of the plan is to provide a set of policies and objectives which to implement. The sources for effects are contained entirely within the policies and objectives, much like the mitigation measures are also contained within the policies and objectives of the plan. All of which must be complied with for all future developments within the plan area.

The Plan will be implemented through the normal planning procedures where all future plans or planning applications under the Plan will need to demonstrate compliance with Plan provisions, including mitigation measures, in order to be adopted or granted permission.

Chief Executive's Recommendation:

No Change

Mr. Dunne advised that this was a very comprehensive submission and the issues raised have been dealt with already. In response to a query from Cllr. McKinstry regarding a specific objective for dealing with lacunae, Mr. Dunne stated that they don't accept there is lacunae based on the Draft Plan.

Cllr. Welby stated that Planning Department had gone above and beyond this in the reply given. He stated it was not our job to these manage plans and we were not the competent authority in relation to such decisions. He suggested this was a submission that should have gone to the Parks & Wildlife Section. Cllr. Carroll stated that Mr. Sampson is a highly qualified Professor in this field and a lot of his comments were worthy of consideration.

<p><i>The CE Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Killilea and agreed by the Members.</i></p>
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GLW C10-663 TOM SAMPSON

Pg 839

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

6a Material Amendments that contradict sustainable development and have significant adverse effects with no mitigation measures proposed.

The material amendment to extend the settlement boundary for Oranmore (see Figure 1 below) to the south contradicts the Strategic Environmental Assessment (SEA) Environmental Report for a significant number of reasons, as quoted below figure 2). It is worth noting no mitigation measures have been proposed for these significant adverse effects.

6b The benefits of zoning this land to the local and wider community have not been detailed in the plan and therefore there are no reasonable grounds presented for this land to be zoned residential (phase 2).

6c The reasoning in the SEA assessment is of interest to all of the community in Oranmore because it is all about driving the town centre, derelict buildings and more compact development with specific reference to sustainable mobility and protection of multiple environmental components.

6d On the contrary, it is unreasonable for landowners to have zoned land that has negligible chance of being developed as a result of the lack of mitigation or monitoring measures for the significant adverse effects identified.

Should this land be zoned as residential (phase 1 or 2) then it must be of an exceptional quality and ensure there are no impacts on the environmental components listed above from the SEA Environmental Report. It is not clear how this zoning achieves the core strategy vision and objective for compact growth because there are no obvious access points that allow for the zoned land to be within 15 minutes walk of the services and education facilities in Oranmore. Unmitigated, it would be certain to result in an unacceptable increase in traffic either through Oranhill or on the Maree Road, and increase car dependency.

We cannot accept or allow ad-hoc housing development to proceed in isolation without the delivery of properly designed places, infrastructure, amenities and services.

6e Lack of baseline mapping

There is no baseline mapping to determine and identify strategic green infrastructure and ecological corridors to form the baseline for understanding where the ecological corridors to be protected are located, (for example see planning reference 21408, SHD -TA07.304203).

Without proper baseline mapping of ecological corridors, green infrastructure, bat activity and habitat, wetland sites, hedgerows and natural boundaries, it is not possible to ensure these are protected. We request that the location, condition and ecosystem services provided by these features are mapped and understood.

There is no mention here of key ecological corridors and features in Oranmore. The

focus on settlement boundaries means that the spatial scale of ecological features and corridors cannot be fully considered on a strategic basis. The lack of evidence as to key connections between habitats and use of habitats is not established. The omission of this baseline means that the plan is not fully holistic. We know for certain that there are notable populations of the following species that are not considered:

- Bat roosts, and foraging corridors
- Links between the wetland habitats
- Woodlands, hedgerows and treelines.
- Mammals such as otter, badger and redsquirrels.
- Coastal and rocky shore habitats
- Trout in the rivers.

To account for this the lands at Carrowmoneash between Oranmore Bridge and the Dual Carriageway should be considered as an extension to the Galway Bay Complex SAC.

Ecological corridors between EU designated sites of Creganna Marsh SPA, Inner Galway Bay SPA and Galway Bay Complex SAC as well as other local and nationally important habitats. These should be clearly defined within the land use zoning plans.

The plan also takes no account of the Natura 2000 site objectives to protect and restore, and how this affects the land use. Land is zoned as open space, recreation and amenity but this does not ensure clear biodiversity or amenity objectives can be achieved.

6f Lack of clear objectives for open space to provide useful biodiversity, climate adaptation or amenity values

In Oranmore land zoned for open space needs to have specific and clear objectives to ensure that the open space use is relevant to the local requirements and not just kept as unused land. This needs to be either for biodiversity use, active recreation, passive landscape and amenity or other. For landowners to ensure these objectives are delivered some form of incentive will be necessary to value and transfer payments to landowners for provision of ecosystem services or green infrastructure.

6g 4.11.2 Baseline Environment - Green Infrastructure

The short paragraph in the SEA Environment Report simply states some of the good things about green infrastructure. There is no mapping or evaluation of the current green infrastructure network, hubs or provision across the county to set the baseline for the assessment of the impacts of the plan on, or provision of, green infrastructure.

6h 4.11.9 Transport

Given that Oranmore is a key settlement, it is disappointing to see that there is no baseline data or information on the current traffic levels within and around Oranmore in the SEA. Without such information it is not clear how the SEA Assessment can reach sufficient conclusions on the impact of the proposed core strategy, or alternative core strategies.

6i Table 8-3 Motions advised against.

Motions advised against, subsequently agreed upon as amendments and which have potential for significant negative environmental effects. Changing of zoning in Oranmore from Residential to Open Space. Stated reason: flood risk. Site located to

the west of the N67 near Carrowmoneash/Frenchfort Stream.

We welcome this decision, based on evidence for zoning of these lands within the floodplain as open space. If these lands were to be zoned residential or any other more vulnerable development, it would expose population to unacceptable flood risk, and place an avoidable burden on the local community, County Council and Emergency Services.

6j Monitoring of the previous plan

There are no monitoring reports available related to section 9 and each row of table 9a of the Oranmore LAP 2012-2022 SEA environmental report. This reduces the confidence the public can have that the planning policies and objectives in the new draft CDP and Metropolitan Area Strategic Plan will be implemented and enforced to ensure sustainable development.

6k In summary, the following needs to be addressed prior to finalising the plan:

There is no publically available monitoring report on the progress or evolution since the previous county development plan or Oranmore Local Area Plan.

- The SEA does not properly consider the in- combination effects of one settlement on other settlements. For example, there is no assessment of the traffic impact from the Garraun on Oranmore, and vice-versa.
- the lack of mapping of green infrastructure and ecological corridors to form the baseline for understanding where the ecological corridors to be protected are located, (for example see planning reference 21408, SHD -TA07.304203).
- Many of the ecological and greenway corridors the draft plan references cross settlement and Metropolitan Area Strategic Plan (MASP) boundaries. There appears to be a missing feedback loop to join these together from the individual settlement boundary plans back up the MASP and county development plan.
- the lack of reasoned evidence as to why some material alterations have been approved by elected members despite the Strategic Environmental Assessment (SEA) specifically concluding, for a number of reasons, that these are not in the interests of sustainable development,
- the lack of mitigation measures for significant adverse effects identified in the SEA Environmental Report.

In summary, the following needs to be addressed prior to finalising the plan:

- There is no publicly available monitoring report on the progress or evolution since the previous county development plan or Oranmore Local Area Plan.
 - The SEA does not properly consider the in- combination effects of one settlement on other settlements. For example, there is no assessment of the traffic impact from the Garraun on Oranmore, and vice-versa.
 - the lack of mapping of green infrastructure and ecological corridors to form the baseline for understanding where the ecological corridors to be protected are located, (for example see planning reference 21408, SHD -TA07.304203).
 - Many of the ecological and greenway corridors the draft plan references cross settlement and Metropolitan Area Strategic Plan (MASP) boundaries. There appears to be a missing feedback loop to join these together from the individual settlement boundary plans back up the MASP and county development plan.
 - the lack of reasoned evidence as to why some material alterations have been approved by elected members despite the Strategic Environmental Assessment (SEA) specifically concluding, for a number of reasons, that these are not in the interests of sustainable development,
- the lack of mitigation measures for significant adverse effects identified in the SEA Environmental Report.

Chief Executive's Response:

The vast array of measures that have been integrated into the Plan and that will mitigate all likely significant adverse effects of implementing the Plan, on all environments components, are detailed in Section 9 of the SEA Environmental Report. These will need to be complied with by all proposals for development within the County, as relevant and appropriate, including proposals for development in Oranmore

The Lands in question have been recommended to be removed from the plan as per the OPR Recommendation No.7.

It is unclear what part of the SEA Environmental Report is being referred to, however; the SEA Environmental Report describes the likely significant environmental effects on various environmental components (please refer to SEA Environmental Report including Section 8.3 Overall Evaluation and Section 8.4 Members' Amendments and Environmental Consequences).

For the subject lands, the SEA identifies (at Section 8.4 Members' Amendments and Environmental Consequences) that:

There is no established planning justification for this Amendment. The addition of Residential (Phase 2) to the south of the existing development envelope would be likely to hinder the achievement of objectives relating to compact sustainable development, if the Phase 2 lands were developed within the lifetime of the Plan. The additional zoning would present additional, unnecessary and potentially significant adverse effects on various environmental components, including:

- Ecology and ecological connectivity;
- Increased loadings on water bodies;
- Conflicts with efforts to maximise sustainable compact growth and sustainable mobility;
- Adverse impacts upon carbon emission reduction targets in line with local, national and European environmental objectives;
- Adverse impacts upon the economic viability of providing for public assets and infrastructure;
- Occurrence of adverse visual impacts;
- Cultural heritage; and
- Potential effects on human health as a result of potential interactions with environmental vectors.

The SEA identifies the environmental consequences of zoning these lands on SEA Environmental Report Table 8.3 "Motions advised against, subsequently agreed upon as amendments and which have potential for significant negative environmental effects". These environmental consequences are reproduced in the submission and on the row above.

The vast array of measures that have been integrated into the Plan and that will mitigate all likely significant adverse effects of implementing the Plan, on all environments components, are detailed in Section 9 of the SEA Environmental Report. These will need to be complied with by all proposals for development within the County, as relevant and appropriate, including proposals for development in

Oranmore. Similarly, monitoring measures are set out under Section 9 of the SEA Environmental Report.

Reflecting the specifications in the SEA Directive, the relevant aspects of the current state of the environment for the following environmental components are described in the SEA Environmental Report: biodiversity and flora and fauna; population and human health; soil; water; air and climatic factors; material assets; cultural heritage including architectural and archaeological heritage; landscape and the interrelationship between the above factors.

Article 5 of the SEA Directive, in accordance with the established European principle of subsidiarity, requires that the Environmental Report includes the information that may reasonably be required taking into account, inter alia, the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment. This description includes information that is relevant to lower tier planning, environmental assessments and decision-making.

The vast array of measures that have been integrated into the Plan and that will mitigate all likely significant adverse effects of implementing the Plan, on all environments components, are detailed in Section 9 of the SEA Environmental Report. These will need to be complied with by all proposals for development within the County, as relevant and appropriate, including proposals for development in Oranmore.

Clear provisions for open space have been integrated throughout the Plan, including at Volume 2: Metropolitan Area Strategic Plan.

Furthermore, the vast array of measures that have been integrated into the Plan and that will mitigate all likely significant adverse effects of implementing the Plan, on all environments components, are detailed in Section 9 of the SEA Environmental Report. These will need to be complied with by all proposals for development within the County, as relevant and appropriate, including proposals for development in Oranmore.

Various other parts of the SEA Environmental Report expand on the issues mentioned in this paragraph.

Reflecting the specifications in the SEA Directive, the relevant aspects of the current state of the environment for the following environmental components are described in the SEA Environmental Report: biodiversity and flora and fauna; population and human health; soil; water; air and climatic factors; material assets; cultural heritage including architectural and archaeological heritage; landscape and the interrelationship between the above factors.

Article 5 of the SEA Directive, in accordance with the established European principle of subsidiarity, requires that the Environmental Report includes the information that may reasonably be required taking into account, inter alia, the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment. This description includes information that is relevant to lower tier planning, environmental The vast array of measures that have been integrated into the Plan and that will mitigate all likely significant adverse effects of implementing the Plan, on all environments components, are detailed in

Section 9 of the SEA Environmental Report. These will need to be complied with by all proposals for development within the County, as relevant and appropriate, including proposals for development in Oranmore. assessments and decision-making.

A thorough assessment has been undertaken with many of the conclusions reached through the strategic assessment for the County Plan being qualitative, commensurate with the stage in the decision-making and consent granting framework at which the Plan is situated. The vast array of measures that have been integrated into the Plan and that will mitigate all likely significant adverse effects of implementing the Plan, on all environments components, are detailed in Section 9 of the SEA Environmental Report. These will need to be complied with by all proposals for development within the County, as relevant and appropriate, including proposals for development in Oranmore.

Noted

As provided by Policy Objective MM1 “Monitoring and Management” in the 2021-2028 County Development Plan, the Council shall, in conjunction with the Regional Assembly and other sources as relevant, implement the monitoring programme as set out in the SEA Environmental Report and Statement. This will include the preparation of stand-alone SEA Monitoring Reports:

To accompany the report required of the manager under section 15(2) of the Act, including information in relation to progress on, and the results of, monitoring the significant environmental effects of implementation of the Development Plan; and
2. On the significant environmental effects of implementing the Plan, in advance of the beginning of the review of the next Plan.

Reporting will seek to address the indicators set out on Table 10.1 of the SEA Environmental Report.
See responses above.

Chief Executive’s Recommendation:
No Change

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

GLW C10-969 MAIRE UI MHUIRNIN

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

Assessments pursuant to the Habitats and Water Framework Directives
The Strategic Environmental Assessment and Appropriate Assessment of the ‘Draft Galway County Development Plan 2022 – 2028’ is of serious concern.

1. Conflict of Interest

The possible conflict of interest that exists in relation to the Local Planning Authority's roles as author of the 'Draft County Development Plan' and as the 'Competent Authority' to conduct and determine an assessment pursuant to article 6(3) of the Habitats Directive and pursuant to the Strategic Environmental Assessment (SEA) Directive, compromises the assessment processes, is inappropriate, and of serious public concern.

The public, in general lacking in knowledge and expertise in the planning system, relies on the competent authority to fully protect our environment in a manner consistent with the State's obligations under EU and national legislation and case law.

2. Habitats Directive article 6(3) Threshold

The threshold of the assessment under article 6(3) of the Habitats Directive is explained in paragraph 44 of CJEU Case 258/11:

"So far as concerns the assessment carried out under Article 6(3) of the Habitats Directive, it should be pointed out that it cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned."

The above is a strict standard. The competent authority's legal jurisdiction to grant consent relies on the above threshold being met. When the competent authority conducts its assessment under article 6(3) of the Habitats Directive, it is imperative that the above is fully satisfied in order to achieve the Directive's environmental protection objectives.

3. Clarification is sought please regarding the lack of a Natura Impact Statement (NIS) relating to the proposed Plan.

4. Conclusion to an Ongoing Process

Clarification is required as to how a conclusion can logically be determined by either the competent authority or the author of the Natura Impact Report (NIR) or SEA Environmental Report in relation to a process that has not yet concluded, while satisfying the threshold as described in Case 258/11 noted earlier.

The introduction to the Appropriate Assessment of the Draft Plan states as follows:

"Section 1 Introduction

1.1 Background

This Natura Impact Report (NIR) has been prepared in support of the Appropriate Assessment (AA) of the Draft Galway County Development Plan 2022-2028 in accordance with the requirements of Article 6(3) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the "Habitats Directive").

This report is part of the ongoing AA process that is being undertaken alongside the preparation of the Plan. It will be considered, alongside other documentation prepared as part of this process, when Galway County Council finalises the AA at adoption of the Plan."

(Appropriate Assessment of the Draft Galway County Development Plan 2022 – 2028, Pg. 1.)

Considering the "ongoing AA process" that is being undertaken it is doubtful that the author of the NIR, nor the competent authority can logically make a determination or reach a conclusion in a manner consistent with the State's obligations pursuant to

the Habitats and Water Framework Directives. The NIR states the following conclusion:

“Section 6 Conclusion

Stage 1 AA Screening and Stage 2 AA of the Draft Galway County Development Plan is being carried out. Implementation of the Draft Plan has the potential to result in effects to the integrity of any European Sites, if unmitigated.

The risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of the European Sites have been addressed by the inclusion of mitigation measures that will prioritise the avoidance of effects in the first place and mitigate effects where these cannot be avoided. In addition, all lower-level plans and projects arising through the implementation of the Draft Plan will themselves be subject to AA/screening for AA when further details of design and location are known.

In-combination effects from interactions with other plans and projects was considered in the

assessment and the mitigation measures incorporated into the Plan, are seen to be robust to ensure there will be no significant effects as a result of the implementation of the Draft Plan either alone or in combination with other plans/projects.

Having incorporated mitigation measures, it is concluded that the Draft Galway County Development Plan 2022-2028 is not foreseen to give rise to any adverse effects on the integrity of European Sites, alone or in combination with other plans or projects¹⁴. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.

The AA process is ongoing and will inform and be concluded at adoption of the Plan.” (Pg. 57.)

It is doubtful that the conclusion above satisfies the required threshold regarding assessment relating to article 6(3) of the Habitats Directive.

5. AA Screening

The basis of the AA screening process is of concern. In particular, the geographic limit restricting the AA Screening process, the network of Natura 2000 sites the process has screened out, and the ‘potential pathway assessment’, fail to demonstrate the Precautionary Principle in the absence of ‘up to date’ and ‘best scientific knowledge’. Consequently, the required thresholds relating to AA Screening have not been satisfied and the AA Screening determination compromised.

6. Scoping

The AA thresholds and submissions made by various statutory bodies is required to be considered to inform the Natura Impact Statement (NIS).

7. The NIR

An assessment and demonstration of the absence, with certainty, of negative impacts of the Plan’s proposed various land uses on Natura 2000 network sites relevant to the Plan is absent in the submitted NIR.

It is disappointing that Galway County Council refused the requested extension to the public participation period relating to the consultation process at issue, particularly amid the restrictions imposed by the current Covid 19 pandemic. It is difficult to comprehend the vast amount of environmental assessments and processes submitted in the absence of such guidance from environmental experts.

Chief Executive's Response:

In preparing the Plan and undertaking the assessment the Council are fulfilling their requirements under the law.

The action being assessed is a framework for the proper planning and sustainable development of Galway County Council's administrative area. The emerging conclusion of the AA process is that the Plan is not foreseen to give rise to any adverse effects on the integrity of European Sites, alone or in combination with other plans or projects. The conclusion of the AA process will be finalised at adoption of the Plan.

If the plan was a project, an NIS would be required. An NIS is not required.

The action being assessed is a framework for the proper planning and sustainable development of Galway County Council's administrative area. The emerging conclusion of the AA process is that the Plan is not foreseen to give rise to any adverse effects on the integrity of European Sites, alone or in combination with other plans or projects. The conclusion of the AA process will be finalised at adoption of the Plan.

The AA Screening and associated determinations have been undertaken in compliance with the legislation and using relevant and required information.

If the plan was a project, an NIS would be required. An NIS is not required. Relevant information has been and will continue to be taken into account by the AA process.

An appropriately detailed and undertaken assessment is presented.

Comments noted. However the Local Authority considered the Draft Plan process to be robust where webinars were held and the sheer scale of the amount of submissions received on the Draft Plan would indicate that interested bodies/groups and members of the public were aware and wished to express their opinion on the Draft Galway County Development Plan 2022-2028.

Chief Executive's Recommendation:

No change

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

Following completion of submissions, it was agreed to revert back to motions that didn't come out of submissions from Chapter 7 onwards.

Chapter 7

Cllr. Dr. Parson's submitted the following motion:-

The following amendments are required to be made to:

Chapter 7 Infrastructure, Utilities & Environmental Protection of Galway CDP

7.5.10 Sludge Management

Irish Water has prepared a National Wastewater Sludge Management Plan (NWSMP) which outlines Irish Water's strategy to ensure a nationwide standardised approach for managing wastewater sludge over a 25-year period. It is proposed that the NWSMP will have ongoing five yearly reviews. The current plan covers 2016-2021 and will be revised and updated in 2021 for the period 2022-2027. A separate plan will be prepared in relation to sludge produced at drinking water plants. The NWSMP proposes to develop a Sludge Hub Centre and Satellite Dewatering Site network for wastewater sludge treatment, optimised on a regional rather than county basis.

ADDITION

The Ballinasloe area will not be suitable or considered appropriate siting for a regional Connaught/Ulster waste management facility and/or as a regional or county sludge hub given its proximity to Environmentally sensitive sites including Natura 2000, SPC, SACs under Habitat, Birds and Wildlife Directives, proximity to River Suck and Shannon, flood and groundwater risks/conflict with Waterframework obligations, and in keeping with Environmental Justice Principles of affording the population and environment of Ballinasloe the opportunity to evolve, flourish and regenerate after repeated chronic siting of waste facilities in the area in order to guarantee that those living in Ballinasloe have equal access to a healthy, safe, and sustainable environment, as well as equal protection from environmental harm.

7.5.10 Sludge Management

WW 1 Enhancement of Wastewater Supply Infrastructure Work in conjunction with Irish Water to maximise the potential of existing capacity and to facilitate the delivery of new wastewater services infrastructure, to facilitate future growth in the county.

ADDITION

The Ballinasloe area will not be suitable or considered appropriate siting for a regional Connaught/Ulster waste management facility and/or as a regional or county sludge hub given its proximity to Environmentally sensitive sites including Natura 2000, SPC, SACs under Habitat, Birds and Wildlife Directives, proximity to River Suck and Shannon, floodplain and groundwater risks/conflicts, unsatisfactory water status with regard to Waterframework obligations and River Basin Management plans, interference with progressive sustainable development plans with regard to National Cycleway Spur, Suck Bathing and emerging Water recreation feasibility plans, and in keeping with Environmental Justice Principles of affording the population and environment of Ballinasloe the opportunity to evolve, flourish and regenerate after repeated chronic siting of waste facilities in the area in order to guarantee that those living in Ballinasloe have equal access to a healthy, safe and sustainable environment, as well as equal protection from environmental harm.

WW 2 Delivery of Wastewater Infrastructure

Liaise and co-operate with Irish Water in the implementation and delivery of the Water Services Strategic Plan (2015) and the Irish Water Investment Plan 2020-

2024 and other relevant investment works programmes of Irish Water in the delivery of infrastructure within the county.

ADDITION

The Ballinasloe area will not be suitable or considered appropriate siting for a regional Connaught/Ulster waste management facility and/or as a regional or county sludge hub given its proximity to Environmentally sensitive sites including Natura 2000, SPC, SACs under Habitat, Birds and Wildlife Directives, proximity to River Suck and Shannon, flood and groundwater risks/conflict with Waterframework obligations, and in keeping with Environmental Justice Principles of affording the population and environment of Ballinasloe the opportunity to evolve, flourish and regenerate after repeated chronic siting of waste facilities in the area in order to guarantee that those living in Ballinasloe have equal access to a healthy, safe, and sustainable environment, as well as equal protection from environmental harm.

Cllr. Killilea left meeting while this Motion was being discussed due to Conflict of Interest.

Ms. Loughnane stated that this was similar to a previous motion by Cllr. Killilea and the amended wording was going against national policy and it was not appropriate to include locations of where not to locate such facilities.

Cllr. Broderick queried if they would consider adding to the motion that a plan was in place during lifetime of the Development Plan for the remediation of Landfill in Kilconnell.

Cllr. Dr. Parsons stated that she had no difficulty with this and the wording of Motion was amended to include this amendment as follows:

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.

Amended Motion was proposed by Cllr. Dr. Parsons, seconded by Cllr. Broderick and agreed by the Members.

Cllr. Thomas submitted the following Motion:

WW 10 Integrated Wetland Wastewater Treatment Systems

Galway County Council will consider, the use of integrated wetland wastewater treatment systems that accord with EPA Code of Practice.

Cllr. Thomas stated this treatment system was of a much higher standard than the existing plants in place and stated there was less of an issue with maintenance of these older systems. An Comh O Curraoin seconded by this motion.

Cllr. McKinstry agreed that these systems did work well generally but had concerns with its suitability in certain circumstances such as extremely heavy rainfall or in hilly lands. Cllr. McClearn stated that he was aware of this system being used in Annagh Valley, Dunhill, Waterford and concurred with Cllr. McKinstry's concerns in relation to its suitability with regards to large volumes of rainfall going into to them. He stated that Annagh Valley had them because of the sensitive ecology and it was determined that no other system would agree with this location. Cllr. M. Connolly stated that he would lend his support to this and stated it was important to have a variety of treatments in place. In response to Cllr. Byrne's query in relation to compliance with WW 6, Cllr. Thomas advised that these systems achieve tertiary treatment standards. He explained these were self-contained units and didn't have any problem with surface water.

Ms. Loughnane advised that Policy Objective WW 6 was already in existence. She stated they were obliged to comply with EPA Code of Practice and explained that they were not permitted to encourage one system over another system. Suggest no PO. WW 10 – Integrated Wetland Water System.

Cllr. Thomas accepted that wording "encourage" could not be used but had an issue with wording "where appropriate". Ms. Loughnane advised that she had seen this system in operation in a few places and from that perspective, there were some ground conditions that it may not work in. Cllr. Thomas disagreed with those comments and stated it was a fantastic level of treatment. Ms. Loughnane stated that all systems work brilliantly once they are maintained properly. Cllr. Thomas stated that he would accept removal of wording "where appropriate". Ms. Loughnane stated that they were not recommending this and would be concerned with any conflict in relation to standards.

The Motion was proposed by Cllr. Thomas, seconded by An Comh O Curraoin and agreed by the Members.

Cllr. McKinstry submitted the following Motion:

OPR Recommendation 16:

That any new Waste water treatment infrastructure (plants, separation facilities and open tanks) be at least 10m Above Sea Level to account for projected sea level rise.

Cllr. McKinstry stated that this proposal does go beyond what was recommended in guidelines but was doing so because it was needed for planning for the future and particularly referred to sea rises that will occur in sea-storms in coastal areas.

Cllr. Killilea stated that he would have concerns about this proposal which was really aimed at coastal areas and advised that he would not be supporting this motion. An Comh O Culáin seconded the proposal and suggested wording be amended to include coastal areas. An Comh O Curraoin stated that this would apply to areas along the coast located in a valley but not on a height. Cllr. Byrne stated that what was being proposed would have serious consequences for design of networks and would inevitably mean that all new infrastructure would require a rising main for the treatment plants. Cllr. Sheridan concurred with Cllr. Byrne's comments. In reply to Cllr. Dr. Parsons' query, Cllr. McKinstry confirmed that coastal tide rise eventually will affect inland waterways and will cause inland flooding. However, he stated a lot of that can be dealt with by tidal barriers and such type works. He stated that the storms were getting bigger with resultant larger storm surges. In relation to open tanks just above sea levels, he suggested that this was going to be an issue going forward.

Mr. Pender stated that while he appreciated where they were coming from in relation to sea level rises, he emphasized that such a proposal would have a major impact on the mains infrastructure construction costs and energy costs. He advised that when both the infrastructural and energy costs were taken into account it would make the overall costs very prohibitive. Cllrs. Welby, M. Connolly and King all commented on the additional costs associated with such a proposal and of being careful of not making this cost prohibitive. Cllr. McKinstry suggested changing the wording to 5m. He referred to a number of studies that have been carried out on sea level rises, one of which has predicted a sea rise of 5m by 2100. He acknowledged the additional costs associated with rise in gravity but stated that ideally, we should not be building infrastructure along the coast that may have to be moved again and therefore the recommendation of 5m for this plan would be a good idea.

Ms. Loughnane read into the Minutes Irish Water Response in relation to the Motion.

"The suggested amendment has the potential to significantly impact ongoing and future wastewater treatment projects in Galway county and negatively impact on the achievement of environmental compliance and the growth policies identified in the Draft CDP. There is no policy basis or scientific evidence for the suggested amendment. The potential impact of sea level rise is considered in Irish Water's site selection process and at detailed design stages, and also by the Planning Authority as part of the Development Management process. Furthermore, development within coastal zones is already addressed in the Draft CDP, DM Standard 49 (c).

In addition to the above, we would also note the following;

The wording of the objective is ambiguous and unclear- does it refer to new WWTPs only, or existing WWTPs also? The phrase 'Above Sea Level' is unclear, any reference to sea level should be defined using commonly applied terminology.

In terms of future projects, this requirement would be quite onerous and could potentially rule out many otherwise suitable sites for use as WWTP sites. If the amendment applies to existing WWTPs also; it could rule out the provision of new infrastructure required to meet growth and compliance objectives at other existing WWTPs such as Clifden, Kinvara and Leenane.

Of particular note, the proposed amendment could negatively impact the provision of wastewater infrastructure necessary to accommodate the growth projected in the Galway metropolitan area. The Galway Strategic Drainage Study is underway and will investigate options to provide for the targeted growth in the Galway metropolitan area in the medium and long-term; this amendment could rule out otherwise suitable sites should a new WWTP site be identified as the recommended solution.

If such a requirement were to be adopted, it should be adopted at a national level and on the basis of scientific evidence.

At present, flood risk and sea level rise is taken into account at site selection and detailed design stages of WWTP projects using available flood risk data, and guidance such as the OPW 2009 Planning System Flood Risk Guidelines.”

Ms. Loughnane stated that Irish Water would be advising against this motion and would have serious concerns about this proposed amendment. Cllr. McKinstry's motion was not agreed. An Comh. O Cualáin stated that Irish Water's comments were about cost and not about protecting coastline. Ms. Loughnane expressed her disagreement with this assertion and that Irish Water's rationale and explanation are based on several parameters and not solely on cost as suggested.

Cllr. McKinstry submitted the following motion:

EG 5 Smart Grids and Smart Cities Action Plan

- (a).** Support the roll-out of the Smart Grids and Smart Cities Action Plan enabling new connections, grid balancing, energy management and micro grid development.
- (b).** It is a policy objective of Galway County Council to collaborate with stakeholders in relation to the development of a policy on rail electrification within the county.

The additional wording was proposed by Cllr. McKinstry, seconded by Cllr. Maher and agreed by the Members.

CHAPTER 8

Cllr. Mannion submitted the following Motion:

I propose that an objective is included in the County Development Plan to provide infrastructure such as car parking, toilet and shower facilities on a phased basis on beaches in North Connemara.

Ms. Loughnane advised that there were a number of policy objectives in 8.8.2 and the proposal was more of an operational issue. **Cllr. Mannion stated that she would accept CE response and would raise at a future Municipal District Meeting.**

Cllr. Mannion submitted the following motion:

I propose that an objective is included in the County Development Plan to provide a site for overnight parking with facilities for camper vans in South Connemara from Spiddal back to Carraroe.

Ms. Loughnane advised that CE recommendation would not be to support this motion. She advised there is a series of policy objectives in the Plan that would support this.

The motion was proposed by An Comh. Mac an Iomaire, seconded by Cllr. Mannion and agreed by the Members.

Cllr. McKinstry submitted the following motion:

The Council will prioritise the use of the Connemara Greenway for local connectivity to woods, GAA pitches and settlements of Roscahill, and with connections at either end of Maigh Cuilinn and Oughterard.

Ms. Loughnane advised that this was covered off in terms of policy objectives in Development Plan in Chapters 6, 8 and 10. Cllr. McKinstry accepted CE Response.

Chapter 15

DM STANDARD 8 – Site Selection and Design

It was agreed to resume at Bullet point No. 4 on Motion. On DM Standard 8.

Cllr. Geraghty submitted the following Motion:

I propose the following amendments to DM Standard 8 as set out below:

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 dominates 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.)

- *New buildings should respect the landscape context and not impinge scenic views or skylines as seen from vantage points or public roads.*
- *Larger houses (e.g. in excess of 200sqm) should incorporate design solutions to minimise visual mass and scale e.g. sub-divided into smaller elements of traditional form to avoid bulky structures.*
- *Use a simple plan form to give a clean roof shape – a long plan in preference to a deep plan. This will avoid the creation of a bulky shape.*
- *Where existing vernacular structures exist on site, consideration should be given to their re-use, adaptation and extension in preference to new build.*
- *Clustering with existing rural buildings is generally preferable to stand-alone locations.*

It was proposed to insert wording “or photo montage”. It was agreed to take out word “or” and replace with “/”. This was proposed by An Comh. O Cualáin, seconded by Cllr. King and agreed by the Members.

6th Bullet point – Mr. Dunne stated that it was proposed to delete some of existing wording and insert new wording. He stated that they would not be in agreement with the wording as it would cause confusion in relation to how the DM would be interpreted. Cllr. Thomas stated that cutting and filling could be the most appropriate way for a particular site. Ms. Loughnane stated that you design a house around a site instead of designing a site around a house. Cllr. Byrne advised against this as it would create some additional ambiguity and DM Standards require certainty and consistency.

Cllr. Geraghty submitted new wording as follows:

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, 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).*

- *New buildings should respect the landscape context and not impinge scenic views or skylines as seen from major vantage points or public roads seen as important for tourism.*

This was proposed by Cllr. Byrne, seconded by Cllr. King and agreed by the Members.

7th Bullet Point – Mr. Dunne advised that CE would not be recommending this wording and suggested that it revert back to what was in previously. Cllr. Byrne stated that in the context of landscape character, wording was ambiguous.

It was proposed by Cllr. M. Connolly, seconded by Cllr. Maher that they revert back to what was there previously.

DM STANDARD 9

Cllr. Geraghty submitted the following Motion:

I propose the following amendment to DM 9 as set out below:

DM Standard 9: Site Sizes for Single Houses Using Individual On-Site Wastewater Treatment Systems

- A minimum site size of 2000m². is generally required for a single house so as to provide for adequate effluent treatment, parking, landscaping, open space and maintenance of rural amenity.
- For house sizes, with a Floor Footprint greater than 200m². The site size shall be increased by 10m² for each 1 m² of house footprint area above 200m².
- Special consideration will be given to existing houses and to proposed developments who can demonstrate Rural Housing Need and comply with EPA guidelines where the minimum size is not totally achievable. ie. For house sizes, with a site size less than 2000m². The house footprint shall be decreased by 1 m² of house area for each 10m² below 2000m².

Mr. Dunne advised that proposal included additional wording to 2 and 3 bullet points. Cllr. Walsh explained his reasoning for this amendment. If people design house accordingly, if attic space is used, it shouldn't impact on ground space and allows a person to work within the same footprint. Cllr. Byrne stated that there was a lot of elevated sites in South Galway – this proposal was going to have a major consequence for this side of the Co. Galway.

Ms. Loughnane said that this would effectively over-complicate everything. She stated this proposal would mean that Planners would have to measure the footprint and it was complicating something that there was absolutely no need to. She further advised that it would also impact on development contributions.

Cllr. Walsh referring to footprint, stated that the reason for the proposal was to preserve the green area, keep the footprint small by use of upstairs area that will not impinge on green area.

Cllr. McClearn queried if they go on this proposal, what impact it would have on the percolation area? Ms. Loughnane stated that she would have issues with it from a density and effluent point of view and stated that it was making it very complicated for members of the public. Cllr. Byrne asked that his disagreement on this be noted.

This motion was proposed by Cllr. Killilea, seconded by Cllr. Thomas and agreed.

DM Standard 10

This was dealt with earlier. Noted by Members.

DM Standard 18

Cllr. Geraghty submitted the following motion:

I propose the following amendments to DM 18 - Rural Enterprise as set out below:

The Council will consider rural enterprises, and resource development (such as agriculture, agri-food sector, agri-tourism, commercial fishing, aquaculture, marine tourism, forestry, bio-energy, the extractive industry, recreation, cultural heritage, marine enterprise sector, research and analysis) and renewable energy resources (such as wind/ocean energy) in rural and coastal areas within the County subject to considerations of proper planning and sustainable development and shall include the following:

~~a) Existing Buildings The conversion of existing farm buildings in rural areas for small scale employment purposes will be considered subject to policy.~~ ***a) Existing Buildings The conversion of existing farm buildings in rural areas for employment purposes will be considered.***

~~b) Agriculturally Related Industry Agriculturally related industry, involving processing of farm produce where it is unsuited to an urban situation and is environmentally sustainable.~~ ***New Buildings will be considered in rural areas for the provision of agricultural related and locally sustainable industry***

~~c) Farm-Related Business~~

~~Business directly related to farming, such as the servicing and repair of farm machinery, land reclamation, drainage work, agricultural contracting etc., where it will not give rise to adverse environmental effects, have safe access and not be prejudicial to residential amenity.~~

c) Farm-Related Business

Business directly related to farming will be considered, such as the servicing and repair of farm machinery, land reclamation, drainage work, agricultural contracting etc .. where it is financially advantageous to locate in a given area and where it will not give rise to adverse environmental effects, have safe access and not be prejudicial to residential amenity.

The following information shall accompany any application:

- *The type of business proposed;*
- *The nature and extent of the work;*
- ***Reason for its location (i.e. justification as to why it is not proposed within settlement centre, etc.);***
- *Reason for its location (e.g. justification on why it is not proposed within settlement centre, etc.);*
- *Anticipated levels of traffic generated by the proposal, accessibility, and car-parking;*
- *The effects on the amenities of the adjoining occupiers particularly in relation to hours of work, noise and general disturbance;*

- *Whether the proposal requires delivery/shipment of goods and details of same;*
- *Arrangements for storage and collection of waste. (Materials used or goods manufactured, serviced or repaired in the home-based business must be stored within a building).*
- *No goods manufactured, serviced or repaired should be displayed so that they are visible from outside the site.*
- *Should not have any adverse impacts on the amenities of neighbouring dwellings*

In relation to (a), Mr. Dunne stated that policy objective in Chapter 4 has covered this off. CE does not consider it necessary, and it was conflicting in its wording. In relation to (b) Moving away from agricultural and referencing local sustainable industry was concerning. In relation to (c) Farm Related Business – new wording “where it is financially advantageous”, Mr. Dunne advised that this wording was not necessary here and asked Members not to proceed with this amendment. He advised that there were policy objectives in Chapters 4 and 5 that would cover this off.

In relation to (a) Cllr. Geraghty agreed to not include reference to “where it is financially advantageous”. He stated there were many people operating farm-related industries and this was legalizing the situation and making it ratable. Cllr. McKinstry suggested the wording was too open and allowed any building to be built on to farmland and was not in agreement with deletion of “subject to policy”. Cllr. M. Connolly stated that there was a need to develop enterprises outside of settlement centres. There were established small industries in small villages and this this would give an opportunity to do this. Cllr. Sheridan stated that they were not talking about major industries here, possibly small 1 / 2 person enterprises and conversion of existing buildings were already part of the landscape. He stated that this gave people in rural areas a chance to get a foothold into business and stated he would be supporting this proposal. Cllr. Roche stated he was supportive of it too and suggested that the Council should be open to ideas such as this.

Mr. Dunne advised that CE would not be recommending this proposal and that DM 18 covers those small-scale type of rural enterprise developments being suggested here.

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

For: 31

Cllr. Canning	Cllr. Charity	Cllr. D. Connolly
Cllr. M. Connolly	Cllr. Cronnelly	Comh. O Cualain
Cllr. Cuddy	Cllr. Curley	Comh. O Curraoin
Cllr. Donohue	Cllr. Finnerty	Cllr..Geraghty
Cllr. Herterich/Quinn	Cllr. Hoade	Cllr. P. Keaveney
Cllr. Kelly	Cllr. Killilea,	Cllr. Kinane
Cllr. King,	Comh. Mac an Iomaire	Cllr. C. Keaveney
Cllr. Mannion	Cllr. McHugh/Farag	Cllr. Murphy

Cllr. Parsons
Cllr. Sheridan
Cllr. Welby

Cllr. Reddington
Cllr. Thomas

Cllr. Roche
Cllr. Walsh

Against: 5

Cllr. Byrne
Cllr. McClearn

Cllr. Carroll
Cllr. McKinstry

Cllr. Maher

Abstain:1

Cllr. Collins

No Reply - 2

The Cathaoirleach declared the Motion carried.

DM Standard 20 – Industrial/Commercial

Cllr. Geraghty submitted the following motion:

I propose the following amendments to DM Standard 20 as follows:

DM Standard 20: Industrial/Commercial

DM Standard 20: Industrial/Commercial Industrial, commercial enterprise and retail development will be required to satisfy minimum requirements for placemaking, public realm, design, layout, access, landscaping, tree planting, boundary treatment, water supply, surface water disposal, wastewater disposal, solid waste, screened storage areas, fire safety, odour control, emissions control, lighting, parking, manoeuvring space, loading and unloading space, energy efficiency and biodiversity. Care should be taken in the laying out of parking areas to avoid conflict between the movements of customer's vehicles, goods vehicles and pedestrians. Commercial Developments Commercial developments shall be subject to the proper planning and development of the area, specifically the following requirements:

- ~~Advertising Signs – Advertising signs shall be confined to the name of the establishment being painted on or affixed to the façade of the building and illuminated, if required, from an external light source so arranged as not to cause glare to road users or intrusion to adjacent property owners;~~ Advertising Signs - Advertising signs shall not be confined to the name of the establishment being painted on or affixed to the facade of the building. They can be illuminated, if required, from an external light source so arranged as not to cause glare to road users or intrusion to adjacent property owners; Advertising as currently allowed in Planning Regulations Exempted Development will not be disallowed.*
- Operating Times - In the case of permitted hot food “take-aways” closing time shall be 12.30am;*
- Security Shutters - Roll down shutters placed externally on the front façade shall not be permitted. Any necessary security screens shall be inside the shop windows;*

- **Site Coverage:** -For single storey or 6m high, shall not normally exceed 75%; -For two storey or 9m high, shall not normally exceed 60%; -For three storey or 12m high, shall not normally exceed 50%. Industrial Development There shall be a presumption that only industrial processes of appropriate size and whose nature will not cause nuisance or injury to the predominant residential environment of towns and villages, shall be permitted. Industrial development shall be subject to the proper planning and development of the area, specifically the following requirements:
- **Hours of Operation** - The hours of industrial operation will be controlled where they are likely to result in harm to environmental amenities including residential amenity;
- **Noise Levels** - Noise levels shall not exceed 55 dB (a) Leq when measured at the boundary of the site;
- **Waste Management/Storage** - Provision shall be made on site in a screened compound for short-term waste and segregation storage pending collection and disposal. There must be adequate provision for storage of segregated waste (bio-waste/dry recyclables/residual waste) pending collection;
- **Advertising Signs** - Advertising signs shall be confined to the name of the establishment being painted on or affixed to the façade of the building and illuminated, if required, from an external light source so as not to cause glare to road users or intrusion to adjacent property owners;
- **Density** - Site coverage shall not normally exceed 75% nor shall plot ratio exceed 1:2;
- **Landscaping** - A comprehensive professionally prepared planting scheme for the site shall be necessary. The Planning Authority shall also consult relevant Local Area Plans where appropriate that may relate to industrial/commercial/enterprise and retail sites including the site coverage, plot area ratio and public open space requirements.

Home Based Economic Activities

Home based economic activity may be considered. The use must be ancillary in scale and nature to the residential unit, ~~there can be no associated visitors and no impact on neighbouring residential amenity.~~ **Potential Impact on neighbouring residential amenity must be addressed and minimised.**

Home Based Economic Activities

Mr. Dunne advised that the wording being proposed has already been covered off in an existing policy objective. He stated that RD 4 will reflect what is being proposed here.

Mr. Dunne stated that the proposal included deletions and additions to existing text. He stated that advertising signs were very important for advertising of business and suggested the amendment would mean moving into a significant new departure from a commercial point of view and suggested it would be over-complicating this. He stated that CE recommendation would not recommend this new wording. He further advised this may have an impact on future URDF funding.

Cllr. McClearn stated that he was totally opposed to this proposal and explained that a lot of people were now using social media/Eircodes and did not see the need for

such an amendment. Cllr. C. Keaveney supported Cllr. McClearn's comments. He stated that you would create a perception of a free for all in terms of erection of signage and would not be in the interest of the visual amenity of the county. He stated there were many methods of advertising and stated the importance of trying to ensure that our open spaces are kept to what they were intended for.

Cllr. Geraghty agreed to withdraw this section of the motion.

DM Standard 27 – Access to National and Other Restricted Roads for Residential Developments

This was already dealt with. Noted by Members.

DM Standard 29 – Sight Distances Required for Access onto National, Regional, Local and Private Roads

Ms. Loughnane advised that this was discussed previously and motion was defeated.

This was already dealt with. Noted by Members.

DM Standard 31 – Developments on Private Roads

Cllr. Geraghty submitted the following motion:

I propose the following amendments to DM 31 as follows:

*Additional text in **red** as follows:*

The following shall apply to development on a private road:

a) Where development is proposed on a private road, the safety and capacity of the junction of the private road with the public road shall be a consideration by the planning authority. The applicant should demonstrate that the sightlines are in compliance with DM Standard 31 of the GCDP 2022-2028 at the junction of the private road and local road, in their planning application.

b) Where an applicant proposes development on a private road, they shall satisfactorily demonstrate to the Planning Authority comprehensive evidence by way of legal documentation and associated maps of a right of way agreement and the requisite consent of the relevant parties to utilise the existing infrastructure and/or to indicate works along the proposed access route for the purpose of installing, repairing and/or upgrading infrastructure so as to render the development site adequately equipped to serve the proposed development.

c) In general, where the capacity, width, surface condition or alignment of the private road is deemed inadequate development will not be favoured, until an adequate suitable road improvement works plan is submitted to the Planning Authority.

Ms. Loughnane advised that proposed wording would lead to ambiguity and would not be recommending this wording as proposed. Cllr. Byrne stated there was a major problem for existing private roads in South Galway. Referring to private roads that

have a house on it, suggested that he didn't think sight lines should have to be taken into account. In reply to Cllr. Byrne, Mr. Loughnane, referring to typo in part (a) stated that it should be DM Standard 29.

This motion was not agreed, it was proposed by Cllr. Maher, seconded by Cllr. McKinstry and agreed to remove Part c

DM Standard 33: Control for Signage along Public Roads

Cllr. Geraghty submitted the following motion:

I propose the following amendments to DM 33 as follows:

DM Standard 33: Control for Signage along Public Roads

a) Licensing System

The Planning Authority will operate a licensing system for certain permanent signs and structures on public roads that are not exempt under Planning Regulations.

(b) Rural Areas

~~Advertising signs will~~ ***will be restricted along roads in rural areas outside the boundaries of towns and villages save for a limited number, e.g. those exempt under Planning Regulations and those which relate to heritage or tourist attractions and which are of national interest.*** ~~not be permitted along roads in rural areas outside the boundaries of towns and villages save for a limited number, which relate to heritage or tourist attractions and which are of national interest~~

c) Towns, Villages & Settlements Areas

Within towns, villages and settlement areas, no signage will be permitted where it may constitute a hazard or obstacle for pedestrians or road users or where the location of such signage may obscure sight distances at junctions or cause undue or necessary distraction to road users. The proliferation of non-road traffic signage on and adjacent to all roads outside of the 50-60kmh speed limit area shall be avoided in the interest of traffic safety and visual amenity, in accordance with the Spatial Planning and National Road Guidelines for Planning Authorities 2012 (or any updated/superseding document). Signs should not impair the setting of any archaeological or historical site or any proposed or protected building or structures within an Architectural Conservation Area (ACA).

d) Fingerpost Signs

*The system for fingerpost signs, which relate to premises, and are located away from major routes will operate on the basis of any future policy document prepared by Galway County Council in relation to finger post signs. ~~Signage in the Gaeltacht shall be in the Irish Language only.~~ ***Signage in the Gaeltacht shall be bilingual with prominence the Irish Language.****

In relation to (b) Rural Areas, Mr. Dunne advised that CE would not be recommending proposed changes.

In relation to (d) Fingerpost Signs, Mr. Dunne stated that CE would not be recommending proposed changes. Cllr. McKinstry stated that he would be opposed

to this and it would be unsafe on roads to do so and was against National Policy. Cllr. Roche queried community groups who wished to put up lotto signage which were prevalent throughout the county and queried if they would be allowed to continue with this. An Comh O Cualáin supported this motion and stated they should be encouraging use of bilingual signs. Ms. Loughnane advised that the actual legislation states that it was obliged to put them in Irish only and that was a legal requirement, and it is not possible to do that under the law.

Cllr. Thomas queried if there were exemptions in place for temporary signage. Ms. Loughnane advised that you can put up temporary signage for a short period of time and you have to have it removed after a certain period and it was restricted to certain sizes. In reply to Cllr. Cuddy's query regarding fingerpost signs, Ms. Loughnane advised that this was done through Area Offices. Mr. Owens advised that there was a separate provision in the Roads Act that dealt with this and was separate from Planning Act. Mr. Dunne advised that the DM Standard in existing plan worked well in the past. CE recommendation was not to go with this amendment. He further advised there is exemptions for festivals that is well covered.

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

For: 7

Comh. O Curraoin
Cllr. Roche
Cllr. Walsh

Cllr. Geraghty
Cllr. Sheridan

Cllr. Killilea
Cllr. Thomas

Against: 26

Cllr. Byrne
Cllr. Charity
Cllr. M. Connolly
Cllr. Curley
Cllr. Hoade
Cllr. Kelly
Cllr. Maher
Cllr. McKinstry
Cllr. Reddington

Cllr. Canning
Cllr. Collins
Cllr. Cronnelly
Cllr. Donohue
Cllr. C. Keaveney
Cllr. Kinane
Cllr. Mannion
Cllr. Murphy
Cllr. Walsh

Cllr. Carroll
Cllr. D. Connolly
Cllr. Cuddy
Cllr. Herterich/Quinn
Cllr. P. Keaveney
Cllr. Mac an Iomaire
Cllr. McClearn
Cllr. Parsons

Abstain: 3

Comh. O Cualáin

Cllr. King

Cllr. McHugh/Farag

No Reply - 3

<i>The Cathaoirleach declared that the Motion was not carried.</i>

DM Standard 32 – Parking Standards

Cllr. Geraghty proposed the following Motion:

I propose the following amendments to DM 32 as set out below:

DM Standard 32: Parking Standards

Whilst this Plan promotes a modal shift away from the private car to more sustainable modes of transport, the car will continue to be an important mode of transport, and therefore there will normally be a requirement to provide car parking as part of a development. Car parking should be located to the rear of building lines where possible. Large areas of car parking should be accompanied by a landscaping plan to mitigate the visual impact of same. In assessing applications for change of use or for replacement buildings within towns and villages, an allowance will be given for former site use in calculating the car parking requirements generated by the new development.

In relation to infill sites and sites adjacent to public transport corridors or civic parking facility, a flexible application of standards will be considered.

In addition to car parking, sufficient space will be required within a development site for all service vehicles necessary for the operation of the business or building, including drop-off areas, loading/unloading areas etc. In relation to Car Parking Design Standard Dimensions refer to Section 16 of the DoEHLG/DoT/DTO Traffic Management Guidelines and to the Metric Handbook Planning and Design Data (3rd Edition) and to the Design Manual of Roads and Streets DMURS (as amended).

Mr. Dunne advised that CE would not be recommending this wording

The CE Recommendation was proposed by Cllr. Killilea, seconded by Cllr. Canning and agreed by the Members.

DM Standard 34 – Traffic Impact Assessment, Traffic & Transport Assessment, Road Safety Audit & Noise Assessment

Cllr. Geraghty proposed the following Motion:

I propose the following amendments to DM 34 as set out below:

DM Standard 34: Traffic Impact Assessment, Traffic & Transport Assessment, Road Safety Audit & Noise Assessment

*All new road layouts should be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS) and the Design Manual for Roads and Bridges (DMRB). Development proposals should also include provision for a sustainable modal split, with pedestrian and cycling facilities recognised as an important aspect of new design proposals. All significant **Major** development proposals or those that the Planning Authority consider would pose a safety risk or traffic impact ~~that~~ **as deemed by Galway County Council Roads Section, might pose a safety risk or serious** traffic impact shall be accompanied by road safety audits, road safety impact assessments and transport and traffic assessments. These shall include a consideration of the cumulative impact of development on the road network.*

Rest of DM Standard text to remain same

Mr. Dunne advised that this terminology/wording was not acceptable in DM Standard as it was ambiguous and would lead to confusion.

Cllr. Geraghty withdrew his motion.

The CE Recommendation was proposed by Cllr. Geraghty, seconded by Cllr. Killilea and agreed by the Members.

DM Standard 37 – Public Water Supply and Wastewater Collection

Cllr. Geraghty withdrew this section of motion.

DM Standard 39 – Effluent Treatment Plants

Cllr. Geraghty submitted the following Motion:

I propose the following amendments to DM 39 as follows:

DM Standard 39: Effluent Treatment Plants

The suitability of a site for the treatment of wastewater shall be determined, in accordance with the criteria set down in the EPA Wastewater Treatment Manuals (1999, 2009) or any revision or replacement of these manuals or any guidelines issued by the EPA concerning the content of these manuals.

- For single houses the EPA Wastewater Treatment Manuals-Treatment Systems for Single Houses 2009 (including any updated or superseding document) shall apply;*

- For larger developments (where appropriate) the EPA Wastewater Treatment Manuals-Treatment Systems for Small Communities, Business, Leisure Centres and Hotels shall apply.*

The following requirements shall apply with respect to effluent treatment facilities:

~~*b) Single Houses*~~

~~*Each dwelling house shall be serviced by its own septic tank or treatment plant and shall not share this facility with any other dwelling other than in exceptional circumstances.*~~

(a) New Single House

Each dwelling house shall be serviced by its own septic tank or treatment plant and shall not share this facility with any other dwelling other than in legacy sites and exceptional circumstances.

(b) Clustered Housing

In the case of clustered housing schemes, public (Irish Water) wastewater connection is encouraged. In the case of unserviced villages, private wastewater treatment plants for each dwelling shall be permitted where the treatment systems are in compliance with the standards in the Environmental Protection Agency (EPA), Code of Practice for Wastewater Treatment Systems for Single Dwellings.

(c) Certification Certification will be required that septic tanks have been de-sludged in accordance with EPA Guidelines. The following will be a requirement of Planning Permission:

- *Design Details - Design calculations supporting the selection of a particular type and size of system;*
- *Maintenance - A maintenance agreement specifying associated terms and conditions;*
- *Certification - Certification that septic tanks have been de-sludged in accordance with EPA Guidelines.*

Mr. Dunne advised that “legacy sites” be removed from amendment.

Cllr. Killilea stated that legacy sites that would have been part-built and did not apply for new builds. Cllr. Sheridan seconded this proposal. Cllr. Byrne stated that he had serious concerns with this proposal and suggested that they revert back to CE proposal.

It was agreed that comments would be noted and retain existing wording.

DM Standard 44 – Tourism Infrastructure and Holiday Orientated Developments

Cllr. Geraghty proposed the following motion:

DM Standard 44: Tourism Infrastructure and Holiday Orientated Developments

I propose the follow amendments to DM 44:-

Text to be deleted with strikethrough and new text in red

~~*While seeking to ensure that most tourism development locate in or close to towns and villages, the Council recognises that by its nature, some tourism development may require other locations.*~~

While seeking to ensure that tourism development in towns and villages flourishes, the Council recognises that by its nature, some tourism development may require other locations.

Developments that may be open to consideration outside settlement centres include: indoor and outdoor recreation facilities, golf courses, swimming, angling, sailing/boating, pier/marina development, equestrian and pony trekking routes, adventure/interpretative centres and associated ancillary uses, tourist related leisure facilities including walking and cycling.

~~*In these circumstances the Council shall promote the reuse of existing buildings outside of settlements for holiday homes/guest accommodation where it can be demonstrated that the redevelopment work is bona fide (replicates and/or is similar in scale and design to the existing building) and will not have significant adverse impact on the environment.*~~

The Council shall promote the reuse of existing buildings for holiday homes/guest accommodation where possible. Consideration will be given in the provision of new dwellings where it can be demonstrated that the proposal to locate on a particular site is bona fide and is made by applicants who have satisfied that they comply with the requirements of RH2 and that their proposal will not have a significant adverse impact on the environment.

a) *Tourism Infrastructure Development*

The Council recognises that golf courses and certain other tourism infrastructure facilities may require ancillary facilities (e.g. club houses, hotel, holiday or short term letting residential accommodation/development and other associated tourism related facilities) to ensure long term viability. Where the provision of such facilities complies with the other requirements of the County Development Plan as set out and the requirements of proper planning and sustainable development, the Council will consider the provision of same subject to the submission of the following:

- *Comprehensive justification of need for the facility;*
- *Overall master plan of the facility;*
- *Documentary evidence of compliance with the other requirements of the Development Plan.*

b) Holiday Orientated Developments

Holiday villages shall have regard to the following:

- *The scale of the development should be of modest proportions and should relate to the size of the settlement;*
- *The design of the scheme should be to a high standard and should include the preservation of boundary characteristics and significant site features as well as car parking provision, segregated waste storage area, public lighting;*

~~*In general, stand alone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be permitted in the open countryside. In exceptional cases, where it can be demonstrated that facility is dependent on physical or locational constraints which are site specific, consideration may be given to such facilities;*~~

- *In general, new standalone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be encouraged in the open countryside*

- *Consideration may be given to facilities such as; Existing schemes can be extended or added to where it can be demonstrated that the facility is well established and there is justification or need for the extra accommodation.*

~~*All new developments must have regard to the Galway Design Guidelines for the Single Rural House.*~~

In relation to 2nd Paragraph – Mr. Dunne advised that wording in Draft Plan was considered sufficient to address concerns raised and the proposed amendment was not required. However, on a review again the Chief Executive considered there were merits in a number of the additions. However, not relating to Policy Objective RH 2 (Rural Housing). It is considered that reference to Rural Housing Policy Objective be included in relation to tourism infrastructure/Holidays Homes.

Cllr. Byrne stated he would not support the proposed motion and suggested reverting back to CE Recommendation.

In reference to RH 2, Cllr. Walsh stated that he was trying to link tourism infrastructure with housing. Mr. Dunne stated again that this should not form part of a DM Standard – reference to RH 2 should not be included.

It was agreed to omit reference to RH 2 and retain the remaining additional wording as per amendments above.

Cllr. Killilea submitted the following motion

1. DM Standard 2: Multiple Housing Schemes (Urban Areas) Phasing of Development

All applications for large/medium multiple unit residential development shall include a phasing plan. Phasing proposals shall ensure that open space and infrastructure to serve dwellings in a given phase e.g. public lighting, footpaths, and community facilities such as crèches and playgrounds are completed to the satisfaction of the Planning Authority prior to the initiation of the succeeding phase.

2. Taking in Charge

*Developers intending on having residential developments “Taken in Charge” by the Local Authority shall engage with the relevant personnel in the Planning Authority with regard to the requirements of same to ensure compliance with appropriate standards and the Grant of Permission and ensure an orderly handover of services, roads, etc on completion of the development. Individual wastewater treatment plants serving housing developments will not be taken in charge. **In the case of multiple housing unit applications, cognisance of Section 35 of the Planning and Development Act, 2000 (as amended) is advised on failure to complete a development in accordance with planning permission granted.***

3. Unfinished Estates

*Emphasis will continue to be placed on successfully completing and consolidating these estates in line with any in place Site Resolution Plans. Appropriate density controls, phasing and high design standards will be required in all settlements for future residential developments. **In the case of multiple housing unit applications, cognisance of Section 35 of the Planning and Development Act, 2000 (as amended) is advised on failure to complete a development in accordance with planning permission granted.***

Ms. Loughnane advised that the proposed wording has not been tested from a legal perspective to-date. Cllr. Killilea stated that this was an attempt to tie developers down to finish estates and this was just a starting block.

In relation to the text in Unfinished Estate, Ms. Loughnane advised this was not the correct location for it and would have concerns with proposed wording. Cllr. Killilea said that he would be happy to take out last section and revert back to original wording. He suggested this would also be examined by Chairman of Housing SPC.

Cllr. Byrne accepted Ms. Loughnane’s comments. Mr. Hanrahan, DOS advised that the sale of LA units was covered by Government Ministerial Regulation and would not be in agreement with Part 5 houses being considered as a means to finish off estates. He stated that it was probably premature until Regulations were reviewed this year.

Cllr. Sheridan stated that in all parts of Galway, there were legacy issues since 2008 and a mechanism /strategy was needed for unfinished estates of multiple house

units. He acknowledged that this has been tried with bonds and suggested the mechanism of doing that was very important.

Cllrs. M. Connolly & Cuddy complimented and wished to acknowledge the work being done in the Taking in Charge Section.

Cllr. Killilea agreed to amend the Motion and to retain the wording in Part b only. This was agreed by the Members.

This was all the motions considered.

Mr. Owens outlined the intended approach in relation to reply to OPR. He advised that they would be reviewing the recommendations and asked Members to revert back by Monday with their reasons as to why they went against OPR recommendation. He stated these replies will be collated and would be re-issued to Members on Tuesday and would be sending reply to OPR on Thursday. He said the intention was to issue document to Members tomorrow which will outline OPR Recommendations and where Members haven't replied. He asked Members to revert back with reasons for non-agreement by Tuesday. In reply to Cllr. Welby query regarding non-response, Mr. Owens advised that it would be submitted to OPR without a response/explanation.

To adopt Chief Executive's Report on the submissions in the Draft Plan with Elected Members Amendments which were all passed by resolution.

This was proposed by Cllr. Maher, seconded by Cllr. M. Connolly and agreed by the Members.

In relation to timeframe for the rest of process, Ms. Loughnane advised that all amendments are put together into a report and sent on to Environmental Consultants to check for SEA, AA and SFRA who will advise if any of them need further consideration. A declaration is required to be made within three weeks regarding environmental considerations. If all amendments are appropriate to screen out, then the Material Amendments go on public display for a four-week period. The Public can make a submission on the Material Alterations during this timeframe. The submissions are then correlated for preparation of CE Report. CE Report is prepared and submitted to Members for final consideration. She advised that any amendments at this stage are very limited and were only open to those that went out on public display. She advised that if the Material Amendments screen out, they will go on public display in early February. If they don't screen out, it will be significantly longer.

In response to Cllr. M. Connolly's query about timelines ahead, Mr. Dunne advised that it would be determined on whether any of the Material Alterations screen out. If they don't screen out, it will be determined by how long it will take SEA or AA to be carried out. They will go out 2 weeks after that determination. He advised that the material alterations will be on public display for not less than 4 weeks. Following which they have 4 weeks to prepare CE Report and issue to Members within 6

weeks. He advised that once Plan was adopted, it would come into effect 4 weeks after adoption.

Cllr. M. Connolly as Chair of Planning SPC thanked the Forward Planning Team, Chief Executive, Directors of Services for putting this process together, to the Members for their participation and to Cathaoirleach for Chairing the Meetings. He thanked everybody that was associated with this process. Cllr Byrne want to be associated with these comments and thanked Ms. Loughnane & Mr. Dunne for all their help and assistance. Cllr. Welby on behalf of Independent Members, wished to be associated with those comments also. Cllr. Hoade, on behalf of Fianna Fail Group, thanked Forward Planning Team for their support and approach to the Members in relation to the Plan and wished to acknowledge their huge contribution. Cllr. Collins, Chair of Athenry/Oranmore Municipal District thanked Mr. Cullen, Mr. Owens and all Director of Services for their input into this plan. He said a lot of work has gone into it and thanked Forward Planning Section for their patience and hard work. Cllrs. Reddington, Geraghty, McKinstry, Roche, Kelly, Mac an Iomaire, Mannion, D. Connolly, McClearn, Killilea, Sheridan, McHugh/Farag, Parsons, King and P. Keaveney echoed previous comments.

The Members also complimented Cathaoirleach P. Keaveney on doing such a good job and for being so equitable in dealing with everybody during the meetings.

Mr. Owens wished to acknowledge his own appreciation to all the staff involved which included the Corporate Unit Team, the Forward Planning Team, both technical and administrative areas. He particularly wanted to note and acknowledge his appreciation to those who have led this process namely Valerie Loughnane and Brendan Dunne. He wished to record his appreciation to all involved.

Mr. Cullen said he wanted to reflect that the Development Plan was probably one of the most important functions of the Councillors as it meant the Elected Representatives were getting a chance to shape the future of the county and was a great example of democracy. He acknowledged it has required a huge commitment from the Elected Members and referred to the level of commitment in terms of input and involvement that everyone has done in the process so far. He thanked Members for their involvement. He thanked the Cathaoirleach in particular, for his patience and for his complete impartiality in his role. He thanked the Forward Planning and Corporate Services Teams. He stated that although they still had a long way to go, they should be proud to be one of the first local authorities in the county to get to this stage. He also thanked the Press for reporting on the process.


Ms. Loughnane thanked the Members for their kind words and for all the work they have put into the Plan to-date. She thanked Mr. Cullen, Mr. Owens and Directors of Services for their support and input into Plan. She thanked the Corporate Team for their assistance in facilitating the meetings and extended a big thank you to Technical and Administrative Team. She especially wanted to thank Mr. Dunne for all his hard work and stated it would not have been able to do it without him.

Mr. Dunne thanked the Members for all their input and stated that it was a pleasure working with them. He advised that they still have a lot more work to do to get this process completed.

The Meeting ended.

Chriochnaigh an Cruinniú Ansin

Submitted, Signed and Approved

Cathaoirleach:  _____

Date: _____ **07/03/2022** _____