

COMHAIRLE CHONTAE NA GAILLIMHE

GALWAY COUNTY COUNCIL

Ceantar Bardasach Bhaile Átha an Rí

Municipal District of Athenry

Minutes of the Meeting of the Municipal District of Athenry held in Aras an Chontae, on Tuesday 9th January 2024.

I LATHAIR:

BAILL: Cllr. J. Charity (Cathaoirleach)
Cllr. J. Cuddy,
Cllr. S. Herterich Quinn
Cllr. A. Dolan
Cllr G. Cronnelly
Cllr. D. Collins
Cllr. L. Carroll

OIFIGIGH: Ms J. Brann, A/DoS, Community & Rural Development & Corporate Services,
Mr. L. Hanrahan, DoS, Economic Development & Planning
Ms V. Loughnane, Senior Planner
Mr B. Dunne, Senior Executive Planner
Mr L. Ward, Assistant Planner
Ms. A. Power, Senior Staff officer
Ms R. Lowe, Senior Engineer,
Mr. S. Whelan, Senior Executive Engineer
Mr. P. Gavin, Executive Engineer
Ms. M. Jordan, Administrative Officer
Ms. G. Cooley, Assistant Staff Officer

To confirm Minutes of the Athenry Municipal District Budget Meeting held on 14th November 2023. AMD 193

On the PROPOSAL of Cllr Carroll, SECONDED by Cllr Cuddy the minutes of the Athenry Municipal District the meeting held on the 14th November 2023 were AGREED.

To confirm Minutes of the Athenry Municipal District Meeting held on the 14th November 2023. AMD 194

On the PROPOSAL of Cllr Carroll, SECONDED by Cllr Cronnelly the minutes of the Athenry Municipal District the meeting held on the 14th November 2023 were AGREED.

Matters arising

In response to a query on the Motion to Eir to remove phone booths from Athenry town, Ms. Jordan said that a reply was not received and she would follow up with Eir.

Ms Lowe confirmed that Cauraun National School is included on the An Taisce programme for Safe Routes to School funding. An Taisce is responsible for the phasing (rounds) of schools in the scheme. The process includes meetings with the school parents and the Active Travel team regarding delivery of works. The schools included on the scheme can be checked on the NTA's website. Funding for delivery ultimately comes from the NTA.

In reply to a query from Cllr Carroll on the repairs and flood defenses for Oranmore after storm Debi, Ms Lowe said that a submission has been made to the Department of Transport for the repairs to the wall and roads damaged by the storm. It is expected that notification of funding will issue with the roads programme and the necessary works will be carried out following on from that. She said that Galway County Council was working with the O.P.W. on gathering information on houses flooded during the storm and the level to which the tide reached. Significant work is being carried out to support local businesses and homeowners affected by the storm.

In reply to a query on the Compulsory Purchase Order at Oranmore for lands for the Department of Education to construct a school. Ms Loughnane said that a decision is awaited from An Bord Pleanála and she will provide an update on it for the Members.

In reply to a query from Cllr. Collins on an accident spot in Turloughmore near Loughnane's filling station where a number of accidents occurred, Ms Lowe said that the Roads team will discuss further with Cllr. Collins to better understand the issues raised. She also mentioned that the speed limits review is ongoing but that new legislation and guidelines are expected later this year which will have an impact for our roads network. In relation to accident-prone locations; she advised that reported incidents are collated by the Gardai and a certain level of information is available to the Council. Cllr Collins said that he was available to meet with roads staff at this location.

Mr. Whelan replied to a query from Cllr. Cronnelly regarding the flooding at Coolarne, and advised that funding was received through climate change to make repairs to the existing pipeline which is in a bad condition. However, this may not solve the ongoing problem of flooding at this location, and we would not want to relieve this flood zone at the detriment of another area.

Cllr Carroll asked if the 30 km per hour is the current legal position nationally or when it might become effective.

Cllr Cuddy concurred that the speed limit was an ongoing issue and Local Authority should not have to wait for the National review. Speed limits are a reserved function and an increase in gardai numbers is necessary to impose speed limits.

In reply to a query on the National speed limits Ms Lowe said that the review of speed limit across the county had commenced, but in light of the upcoming changes in legislation, prudent not to finalise any review prior to consideration of any changes.

But the members can continue to make submissions to Mr Prendergast. The enforcement of the speed limits is a matter for the Gardai.

In response to a query from Cllr Dolan Mr Whelan said that the contract for the Monivea Pedestrian crossing has been confirmed.

Cllr Dolan thanked the staff of the area office for the works carried out on the Community Involvement Scheme at Gurteen on behalf of the residents. He also acknowledged the efficiency of the staff in dealing with Storm Debi.

In reply to a query by Cllr Collins on the safety improvement works at Derrydonnell, Mr Whelan said that the safety audit has been completed and an application has been made for funding.

Cllr Herterich Quinn welcomed Ms Brann as Acting Director to the Athenry MD and thanked the area office staff for completing the roads programme and their response to the recent extreme weather events.

Cllr Charity expressed his concerns following a number of accidents in the Cloonboo region and said that he is requesting a Deputation be accommodated before the meeting in March. This was proposed by Cllr Charity Seconded by Cllr Carroll.

Mr Whelan advised that there are discussions taking place with the landowners in the design of the Safety Scheme at Cloonboo.

To discuss the Draft Athenry Local Area Plan 2024-2030 Chief Executive's Report on Material Alterations (Report circulated on 30/11/2023) in accordance with the provisions outlined in Section 20 of the Planning & Development Act 2000 (as amended) and subsequently consider the proposal to make, amend or revoke the Athenry Local Area Plan 2024-2030. AMD195

Cllr. Charity welcomed all to Meeting to discuss the proposed Material Alterations to the Draft Local Area Plan for Athenry. He asked DOS to address the Members.

Mr. Hanrahan, DOS welcomed the Members to Meeting and referred to Workshop that was held earlier that morning where they had gone through the submissions and was optimistic, they could make progress on the plan today. He referred to CE Report on submissions received which was circulated to the Members in November and advised that the only options open to the Members regarding same was to either accept CE Report Recommendation or if they rejected same, Members could put forward a motion on their preferred recommendation. He advised that having just gone through the Tuam LAP process, the Report to OPR and Minutes showed how the process was concluded and hoped that it will be similar today. He advised that the Executive were there to give advice as required and outline their concerns, should they arise, of Members recommendations, but at the end of the day, it would be the Members who would be making the decisions at today's Meeting.

Cllr. Charity then asked Ms. Loughnane to present CE Report on submissions received regarding the proposed Material Alterations to the Draft Athenry Local Area Plan 2024-2030 to the Members.

Ms. Loughnane stated that they had a very useful Workshop earlier that morning which she hoped was beneficial to the Members and were now at the final stage of the Athenry Local Area Plan process. She stated that the Draft Athenry Local Area Plan 2024-2030 went on public display from Thursday 25th May 2023 until Friday 7th July 2023. The CE Report was circulated to the Elected Members on 17th August 2023. The Elected Members of Athenry Municipal District held a Special Meeting on the 19th September 2023 and agreed to Material Alterations to the Local Area Plan, thereby necessitating a further public display period. A copy of the proposed Material Alterations and associated environmental reports, were available for inspection from 5th October – 3rd November 2023. During the public consultation period, 30 no. submissions were received, which are listed on Page 3 of the CE Report. The full contents of each submission have been considered in the preparation of the CE Report. She stated that the Members would be asked to either accept or reject the recommendations of the Executive. If rejected, a motion must be submitted by the Members. She then noted that dependent on the outcomes of the Members regarding the Office of the Planning Regulator's (OPR) recommendations, that a Report must be prepared within 5 no. working days to be sent to the OPR explaining the Councillors' rationale for any recommendations made by the OPR which were subsequently rejected by the Members. She stated that following the OPR's receipt of that Report, that it was possible that there may be a Draft Ministerial Direction issued on foot of the OPR's Report to the Minister regarding these rejections. She then stated that should it be the case that a Draft Ministerial Direction were to be issued, that the Draft Direction must be put on public display for public consultation. She stated that any parts of the Local Area Plan that were not subject to a Ministerial Direction, in the instance that such a direction was to be issued, would come into effect six weeks following the ratification of the resolution to adopt the Local Area Plan today.

She advised that the sequence of the Report would be examination of the OPR's submission firstly, followed by those made by Prescribed Authorities (7), followed by other submissions received from the General Public (22), making for 30 submissions received in total.

Ms. Loughnane advised that all the submissions were also available to view online at consult.galway.ie

Ms. Loughnane then invited Mr. Dunne to commence discussions on the CE Report.

Mr. Dunne stated that the first submission to be discussed was from OPR which includes three Recommendations and one Observation under Four Themes.

GLW – C72- 25 – OFFICE OF PLANNING REGULATOR

Mr. Dunne went through Recommendation 1 – Land Use Zoning for Residential Use and read CE Response and Recommendation.

MA Recommendation 1 – Land Use Zoning for Residential Use

Having regard to the provision of new homes at that can support compact and sustainable development, and in particular to the following:

- the core strategy of the Galway County Development Plan 2022 - 2028;
- national and regional policy objectives NPO 3, RPO 3.1 and RPO 3.2 for compact growth;
- the peripheral location of the lands and the policy and objective for the sequential approach to zoning in the Development Plans, Guidelines for Planning Authorities (2022); and
- NPO 72a-c and Appendix 3 of the NPF for the co-ordination of land use zoning, infrastructure and services,

the planning authority is required to make the LAP without the following proposed Material Alterations:

- (i) MA5 – Outside the Settlement Boundary to Residential Phase 1;
- (ii) MA24 - Agriculture to Residential Phase 2;
- (iii) MA40 – Residential Phase 2 to Residential Phase 1;
- (iv) MA41 – Agriculture to Residential Phase 1;
- (v) MA43 – Agriculture to Residential Phase 1;
- (vi) MA46 – Outside the Settlement Boundary to Residential Phase 1;
- (vii) MA47 – Outside the Settlement Boundary to Residential Phase
- (viii) MA48 – Outside the Settlement Boundary to Residential Existing;
- (ix) MA49 – Outside the Settlement Boundary to Residential Phase 1;
- (x) MA50 – Open Space/Recreation & Amenity to Residential Phase 2;
- (xi) MA51 – Outside the Settlement Boundary to Residential Phase 2;
- (xii) MA59 – Open Space/Recreation & Amenity to Residential Phase 2;
- (xiii) MA60 – Agriculture to Residential Phase 2; and
- (xiv) MA65 – Agriculture to Residential Phase 1.

Chief Executive's Response

The content of the submission is noted. The Planning Authority notes the view of the OPR with regards to Material Alterations MA5, MA40, MA41, MA43, MA46, MA47, MA48, MA49, MA65, MA50, MA51, MA59 and MA60. The lands subject to these Material Alteration's should revert as per the Draft Athenry LAP 2023 – 2029.

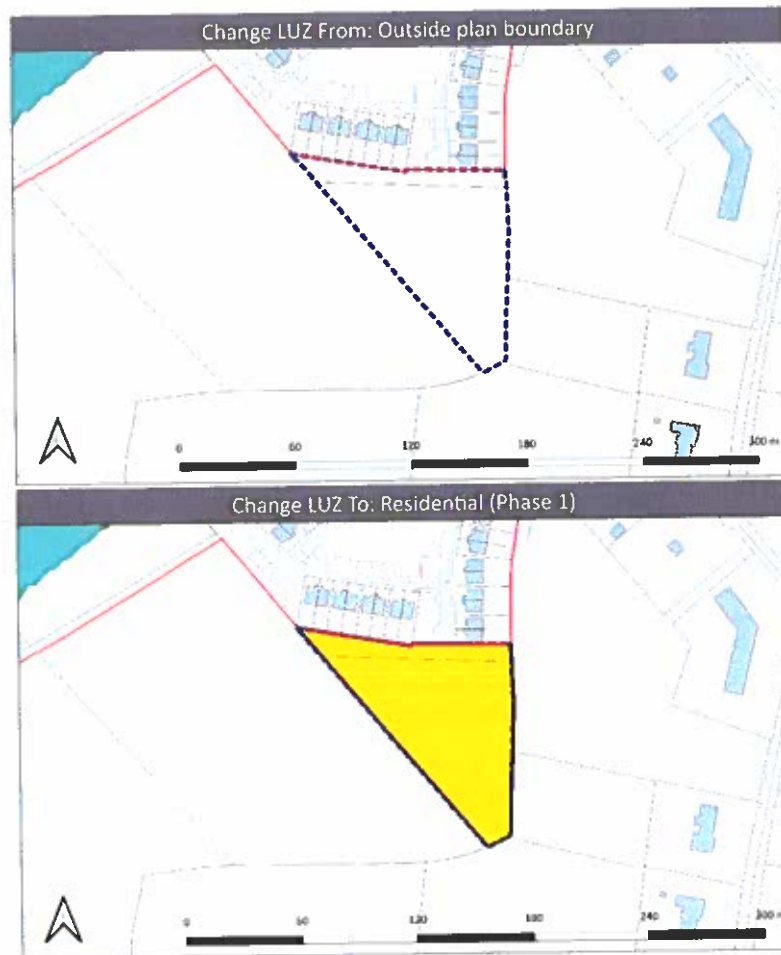
In relation to MA5, this Material Alteration was a consequence of the reallocation of Residential Phase 1 lands in accordance with the Core Strategy of the GCDP 2022 – 2028). It is considered appropriate to retain MA5 as Residential Phase 1.

In regard to MA24 it is considered appropriate to rezone these lands Residential Phase 2 as a result of the commitment from the Planning Authority to prepare a Urban

Framework Plan for all of the lands in this area. See Policy Objective ASP 6 Urban Framework Plan in Residential Phase 2 lands (Caheroyn).

Chief Executive's Recommendation

- i. **MA5:** Retain Residential Phase 1 zoning as per MA5.



The Chief Executive Recommendation was proposed by Cllr. Dolan, seconded by Cllr. Cronnelly and agreed by the Members.

Due to potential Conflict of Interest, Cllr. Dolan left the Meeting while submission MA24 was being discussed.

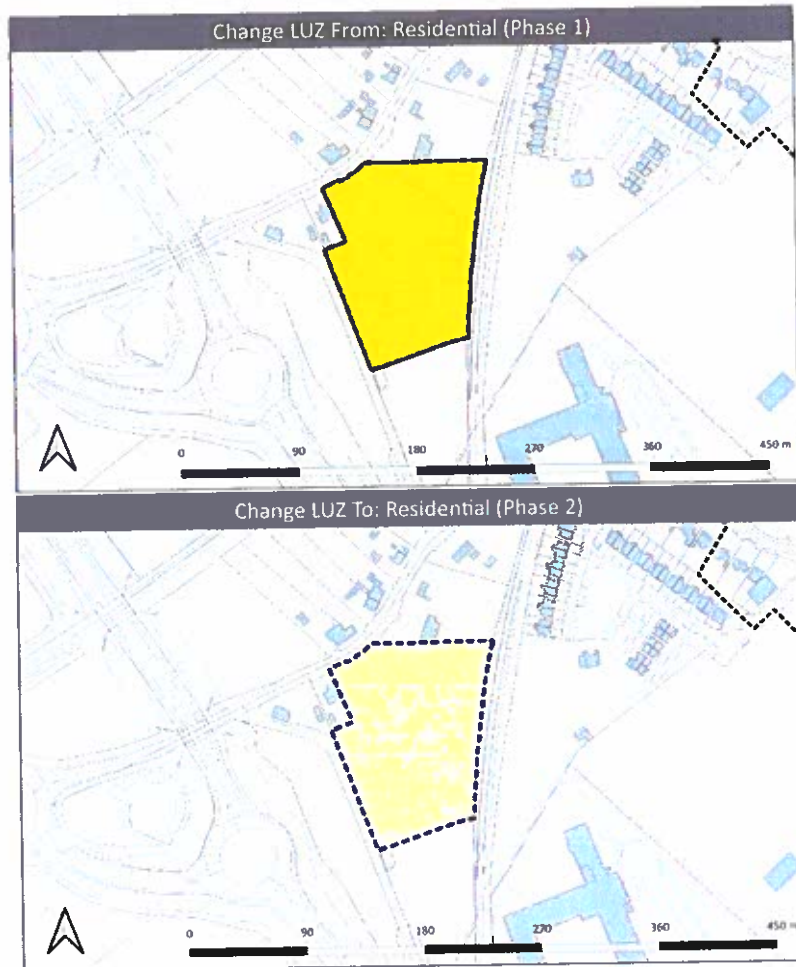
- ii. **MA24:** Retain Residential Phase 2 zoning as per MA24.



The Chief Executive Recommendation was proposed by Cllr. Cronnelly, seconded by Cllr. Herterich Quinn and agreed by the Members

Cllr. Dolan re-joined the Meeting.

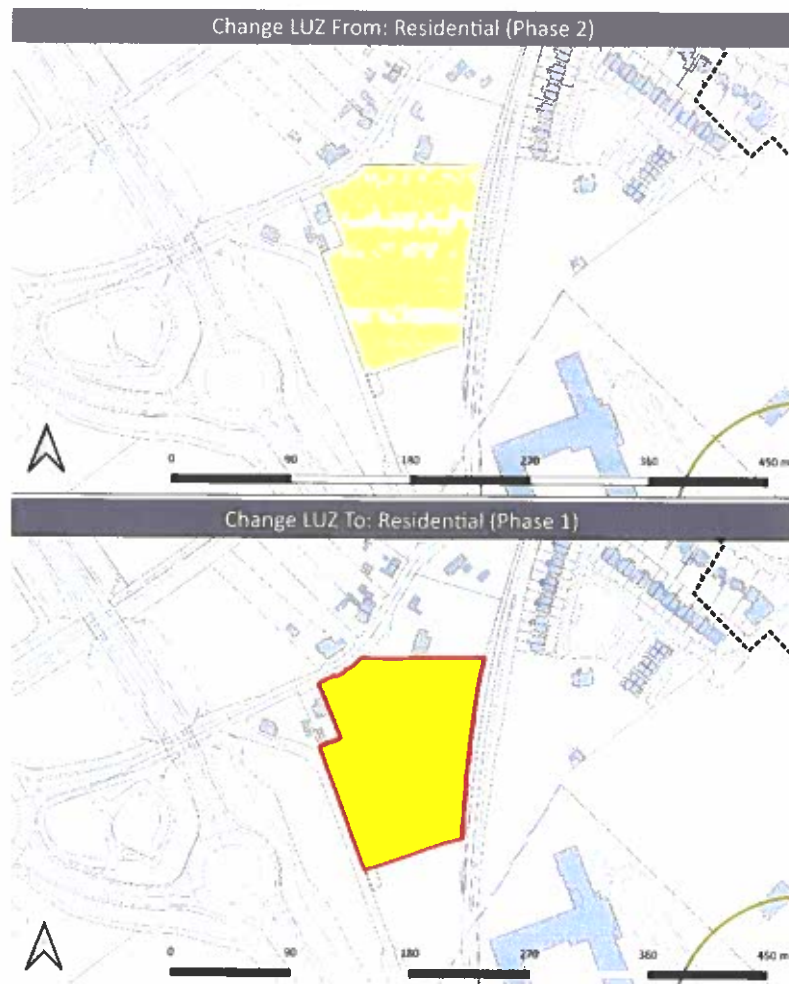
- iii. **MA40:** Revert to the provisions of the Draft Athenry LAP where this land was zoned Residential Phase 2.



Cllr. Herterich Quinn advised that she had submitted a Motion on MA40.

I, Cllr. Herterich Quinn respectfully disagree with the OPR's and CE's Recommendations, accordingly, I wish to propose the following Motion:

I wish to propose that Material Alterations 40 & 41 remain as per GLW-C72-12.



I wish to take this opportunity to issue the following points of fact with regards the suitability of these lands for residential zoning:

Reasons:

- *Lands have been the subject of a previous grant of permission for housing. (59 units)*
- *Lands are located in close proximity to the recently granted planning permission for the Dexcom development.*
- *Footpath connectivity for these lands is supported in the recently granted planning permission for the Dexcom development.*
- *Lands are located in proximity to Athenry Train Station and a number of community facilities.*
- *Sequentially these lands are located adjacent to an existing residential development.*
- *The Core Strategy of the GCDP 2022-2028 has identified a target population growth for Athenry of up to 1,350 people across the lifetime of the plan, aiming for a total population of 5,795. The Census 2022 results show that the population in - Athenry is already at 5,765.*
- *Housing projections are based off obsolete statistics.*

- The lands are the subject of live appeal with An Bord Pleanala for 72 no. residential units.
- The lands are serviced by the public sewer and the public water supply.

Based on the matters set out above, I respectfully request that the entirety of these lands are zoned "R-Residential (Phase 1)" in the forthcoming Athenry LAP 2023-2029.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

- iv. **MA41:** Revert to the provisions of the Draft Athenry LAP where this land was zoned Agriculture.



Cllr. Herterich advised that she had submitted a Motion on MA41.

Quinn

I, Cllr. Herterich Quinn respectfully disagree with the OPR's and CE's Recommendations, accordingly, I wish to propose the following Motion:

I wish to propose that Material Alterations 40 & 41 remain as per GLW-C72-12.



I wish to take this opportunity to issue the following points of fact with regards the suitability of these lands for residential zoning:

Reasons:

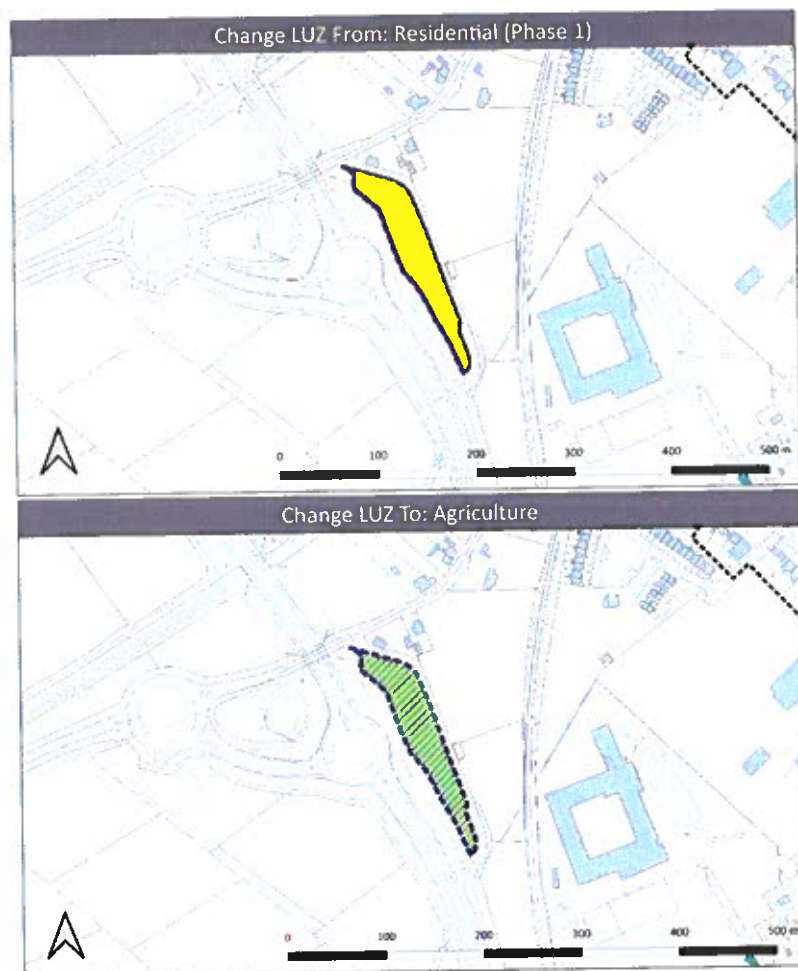
- Lands have been the subject of a previous grant of permission for housing. (59 units)
- Lands are located in close proximity to the recently granted planning permission for the Dexcom development.
- Footpath connectivity for these lands is supported in the recently granted planning permission for the Dexcom development.
- Lands are located in proximity to Athenry Train Station and a number of community facilities.
- Sequentially these lands are located adjacent to an existing residential development.
- The Core Strategy of the GCDP 2022-2028 has identified a target population growth for Athenry of up to 1,350 people across the lifetime of the plan, aiming for a total population of 5,795. The Census 2022 results show that the population in - Athenry is already at 5,765.
- Housing projections are based off obsolete statistics.

- The lands are the subject of live appeal with An Bord Pleanala for 72 no. residential units.
- The lands are serviced by the public sewer and the public water supply.

Based on the matters set out above, I respectfully request that the entirety of these lands are zoned "R-Residential (Phase 1)" in the forthcoming Athenry LAP 2023-2029.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

- v. MA43: Revert to the provisions of the Draft Athenry LAP where this land was zoned Agriculture.



Due to potential Conflict of Interest, Cllr. Dolan left the Meeting while this submission was being discussed.

Cllr. Herterich Quinn advised that she had submitted a Motion on MA43.

I, Cllr. Herterich Quinn respectfully reject the OPR's and CE's Recommendations, accordingly, I wish to propose the following Motion:

I propose that MA43 remain and that the land in the attached map be zoned R1 in the Athenry Local Area Plan 2023-2029



Reasons:

- Lands are located in close proximity to the recently granted planning permission for the Dexcom development.
- Footpath connectivity for these lands is supported in the recently granted planning permission for the Dexcom development.
- Lands are located in proximity to Athenry Train Station and a number of community facilities including 2 post primary schools.
- Sequentially these lands are located adjacent to an existing residential development.
- The Core Strategy of the GCDP 2022-2028 has identified a target population growth for Athenry of up to 1,350 people across the lifetime of the plan, aiming for a total

population of 5,795. The Census 2022 results show that the population in Athenry is already at 5,765.

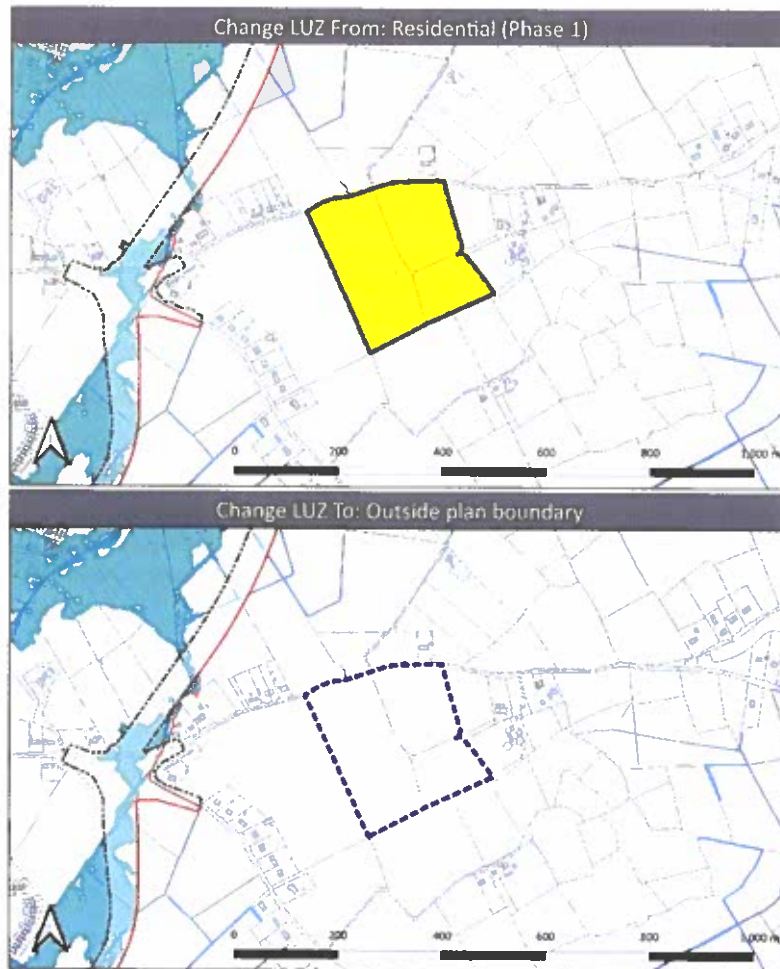
- Housing projections are based off obsolete statistics.
- The lands are serviced by the public sewer and the public water supply.
- There is excellent road and path connectivity at this site.

Based on the matters set out above, I respectfully request that the entirety of these lands are zoned "R-Residential (Phase 1) in the forthcoming Athenry LAP 2023-2029.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

Cllr. Dolan re-joined the Meeting.

- vi. **MA46:** Revert to the provisions of the Draft Athenry LAP where these lands were not zoned.

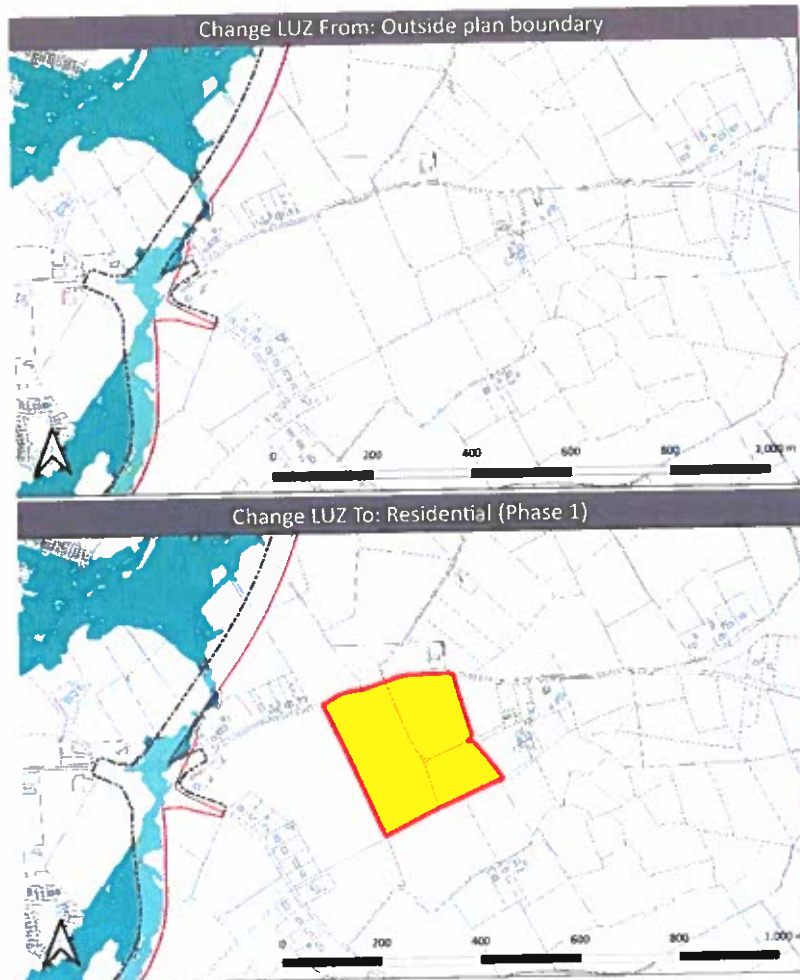


Cllr. Herterich Quinn advised that she had submitted a Motion on MA46.

I, Cllr. Herterich Quinn respectfully disagree with the OPR & the CE's Report and accordingly, I propose the following Motion:

I wish to propose that the MA46 remain as per the original motion (see below):

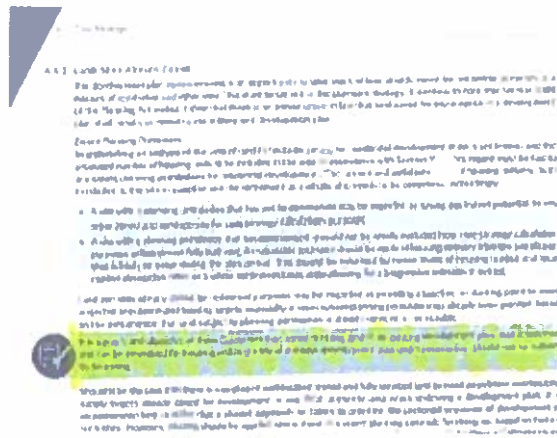
*....that Galway County Council **extend the settlement boundary** to return that part of the lands comprised in folio GY114562F to within the town boundary and **zone them R1** as per the attached map. These previously zoned R2 lands are strategically located 750m from the town centre, 800m from the railway station, and 500m from the nearest school. The Athenry Sewage Pipe Network Upgrade has provided an opportunity for these lands to access the sewage system and WC20 indicates walking and cycling infrastructure will be provided along this route."*



Reasons:

1. Core Strategy S.4 cannot de-zone land that is R2

*The lands the subject matter of motion 46 were lands that have been within the town boundary and zoned Residential since the 2005 LAP. Section 28 of the Planning and Development Act 2020 gave statutory effect to the development of Plan Guidelines for Planning Authorities. These National Framework Guidelines sets out at s.4 of the core strategy that any lands zoned residential that can be developed during the lifetime of the plan should not be de-zoned. The Guidelines below introduced by S.28 were not followed and this amounts to a **fundamental error in** the Draft Plan in that the Lally lands should never have been de-zoned in the first place.*



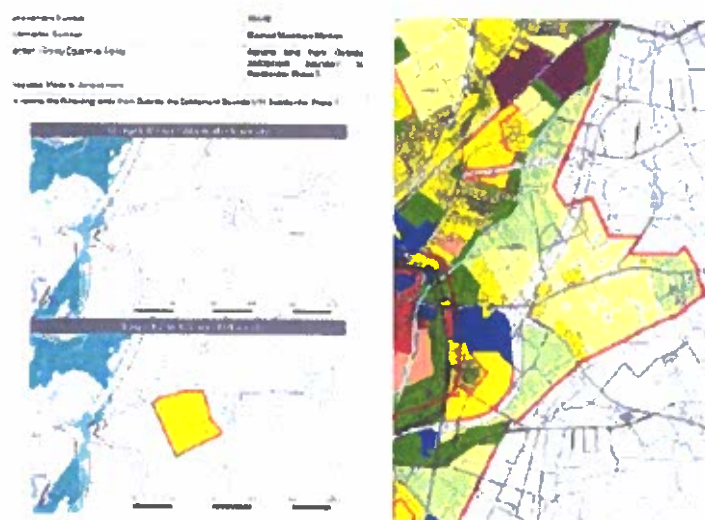
2. Misrepresentation of Motion MA 46 carried by Elected Members

The following motion was brought by the councillors in Athenry to the draft Plan.

"I propose that Galway County Council **extend the settlement boundary** to return that part of the lands comprised in folio GY114562F to within the town boundary and **zone them R1** as per the attached map. These previously zoned R2 lands are strategically located 750m from the town centre, 800m from the railway station, and 500m from the nearest school. The Athenry Sewage Pipe Network Upgrade has provided an opportunity for these lands to access the sewage system and WC20 indicates walking and cycling infrastructure will be provided along this route. Therefore, I reject the CE's recommendation on this submission."

The motion was carried unanimously and as a result a material alteration was carried out by the Council which zoned the lands to R1. The Chief Executive's Report on the material alteration interpreted the above motion MA46 as follows:

"Rezone Land from outside the settlement boundary to Residential Phase 1".



The Office of the Public Regulator in response to the Chief Executive's Report in the material alterations deemed that **MA46** should not be included when make the LAP as it was outside the settlement boundary. This recommendation of the OPR was

reached on **foot of misrepresentation by Galway County Council of the motion MA46 that was carried by the Elected Members.**

3. Footpath and Sewer Connectivity – The Lally Lands are on the L3112 Road (WC19 & WC20)

The Council report says that significant intervention required to service the site by way of footpath and sewer.



This is a **clear error and misrepresentation** of the correct position by the Council and intended to mislead the OPR in reaching their recommendation. It contradicts the fact that Galway County Council have indicated on numerous occasions and numerous forums that it is their intention to develop the footpath and cycleway on the L3112.

a. **Safe Route to school which has funding in place.** The Lally Lands are on the same road (within 350 metres) of the local Primary School.

WC19-L3112 outside Boys National School. Delivery of safe routes to school (SRTS) programme of intervention outside Athenry Boys National School gate, involving provision of footpaths and school zone to increase pedestrian safety for students accessing the school.

WC20-L3112 Cycle Tracks and footpaths along the L3112 to R347 to link residential zoned greenfield lands to the east of study area. To be delivered as lands are developed.

WC 19	L3112 outside Boys National School	and the school campus at The Arch. Delivery of Safe Routes to School (SRTS) programme of interventions outside Athenry Boys National School gate, involving provision of footpaths and school zone to increase pedestrian safety for students accessing the school.
WC 20	L3112	Cycle Tracks and footpaths along L3112 to R347 to link to residential zoned greenfield lands in the east of study area. To be delivered as lands are developed.

Extract from the Athenry Transport Plan

b. In response to **submission of Athenry Tidy Towns GLW-C60-100** the Tidy Towns asked if there was provision for safe walking along L3112 the WC20, in response the Chief Executive stated that it is intended to develop footpath on the L3112 as part of the WC20.

- iii. Provision for a safe walking path along a section of L3112 to Lady Well (WC 20)

- iii. Cycle tracks and footpath upgrades on the L3112 are proposed in the Draft LTP as part of WC20. Lady Well is located outside the Settlement Boundary.

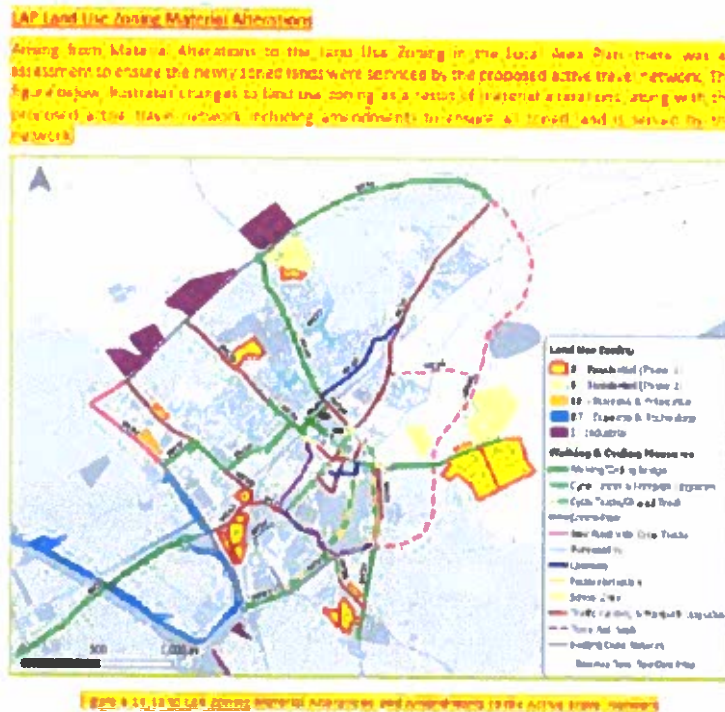
- iv. The measures identified in the LTP are the initial

c. Active Travel Network Plan

The active travel plan clearly marks the L3112 as a road for enhancing footpaths and cycleway. The Lally Lands are within walking distance of the Train Station, Bus stops, the town centre and all schools.

LAP Land Use Zoning Material Alterations -

Figure 6-14 Land Use Zoning Material Alterations and Amendments to the Active Travel Network



d. LA 11/23 Athenry Town Public Realm Enhancement Project Phase 1

There is an **open consultation** in relation to the development of the Athenry Town Centre currently open. The map below is on display by Galway County Council and sets out that the L3112 is an important potential cycle and pedestrian link and identifies a potential future parking area at the top of the road.

Overview

Local Council is preparing public realm design proposals for Athlone Public Realm Enhancement (Phase 1). This includes The Market Square, Burke's Lane, Duva Street, Cross Street and North Gate Street.

The project is the first step in unlocking the potential of and stimulating private sector activity and regenerating the town centre. It will involve a total regeneration and respectful modernising of the public realm of Athlone's town core in order to create a more vibrant and prosperous town centre for all.

The streets and spaces addressed in this project are part of Athlone's original medieval street layout, and are an integral part of its rich heritage. The streets are key movement and transport corridors into and through the town, and currently serve as largely vehicular dominated, busy thoroughfares. This project seeks to address the quality of the public realm and re-establish the traditional market town functions that the residents on the microl-vehicle has crossed over time. The public realm proposals within this report outline how these core streets and spaces could be developed to make Athlone a more people friendly town with space immediately to its several unique heritage assets.

Background and Context

Galway County Council has been approved for Category 2 funding through the Rural Regeneration and Development Fund (RRDF) to progress the enhancement of Athlone's historic town core. The RRDF is part of the delivery mechanism in the National Planning Framework (NPF) Ireland 2040.

The Aims of the Rural Regeneration and Development Fund (RRDF)

- Regenerate towns and villages
- Support people to live, work and learn in their own community
- Enhance our unique outdoor amenities, culture and heritage

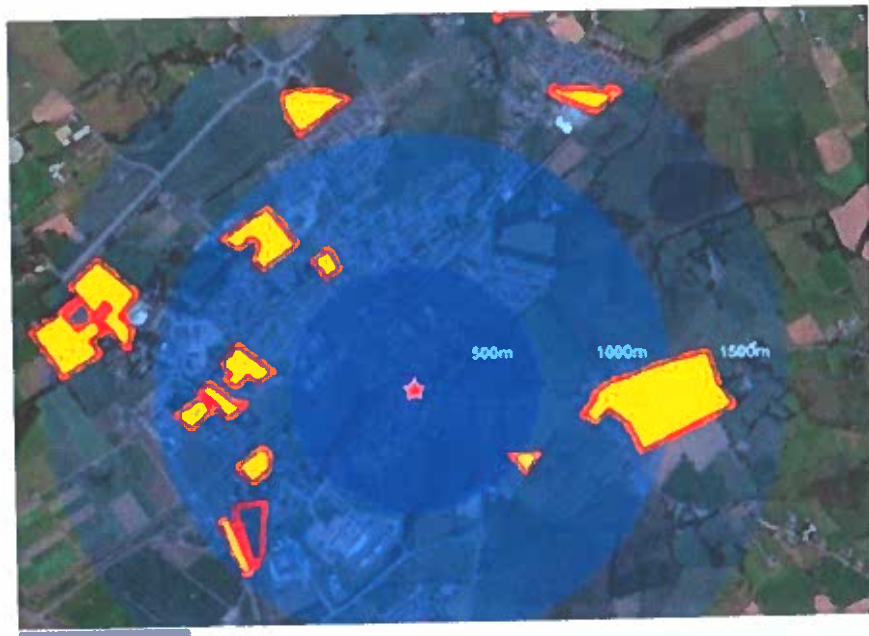


e. The Lally lands are within 50 metres of the **new and improved sewer system**. **Uisce Eireann** in their submission stated that:

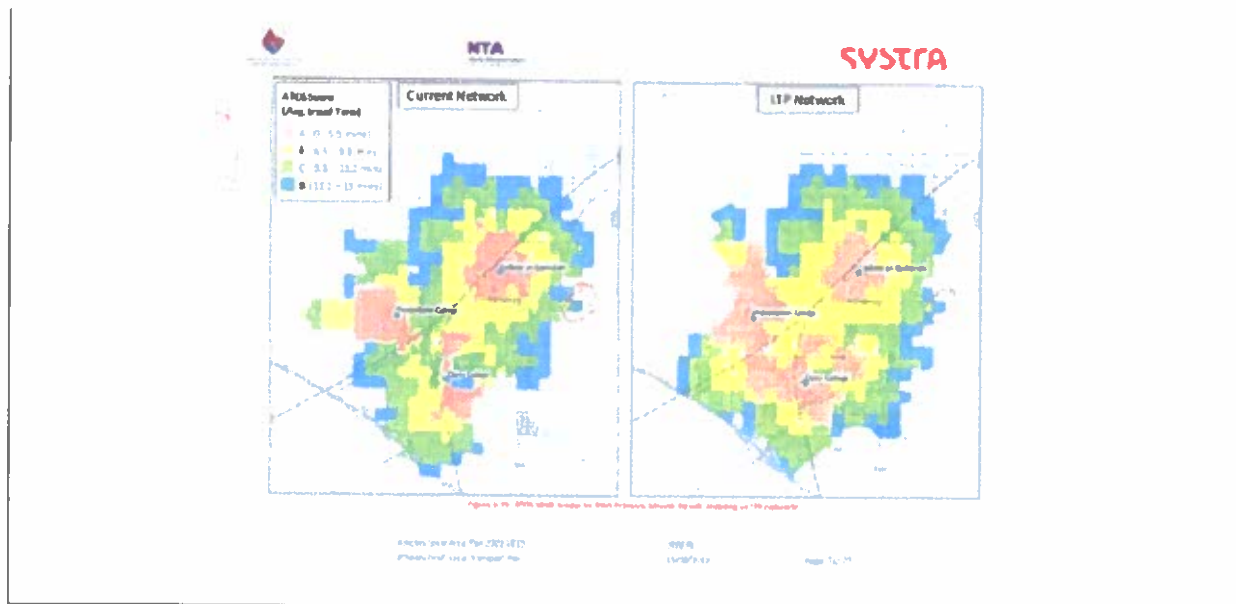
"A new sewer will be constructed as part of the ongoing sewer upgrade project on the L3112 as far as the junction with the L7154 road which will service future potential development in the area, subject to connection agreement."

The Lally Lands are within 50 metres of this connection. This is therefore a fully serviced site by sewers and connectivity and is shovel ready.

Map showing the Lally Lands well within 500-1,000m of the town centre and proximity of all other zoned R1 lands.



Map showing proximity of Lally Lands to all the secondary schools, all showing all schools accessible within 2 to 15 minutes walk.



The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly. Cllr. Carroll advised that he was not in agreement with this motion. He advised that there were a number of submissions requesting that this land be not retained as R1. One of which was from Irish Water stating that the water supply could be obtained from an 80mm pipe but would require an upgrade of 400+ metres which was quite a substantial extension and would require a new gravity flow. He stated that the comments from NTA were that while the site was strategically located, lack of appropriate transportation infrastructure was an issue, and they consider it could not be implemented in the short to medium term and requested that the lands be not retained as R1. He stated that there was a vast tract of land north of railway line which is zoned R2 and referred to proposal to have a Framework Plan for these lands which will be in place within 18 months. He stated that he agreed that the lands under MA46 would not be developed during the lifetime of the LAP and that was why he was not agreeing to this proposal.

Councillor Charity as Cathaoirleach advised the Members that the matter would now be decided by a roll-call vote on whether Councillor Herterich Quinn's motion would be carried.

A Vote was then taken on Cllr. Herterich Quinn's Motion:

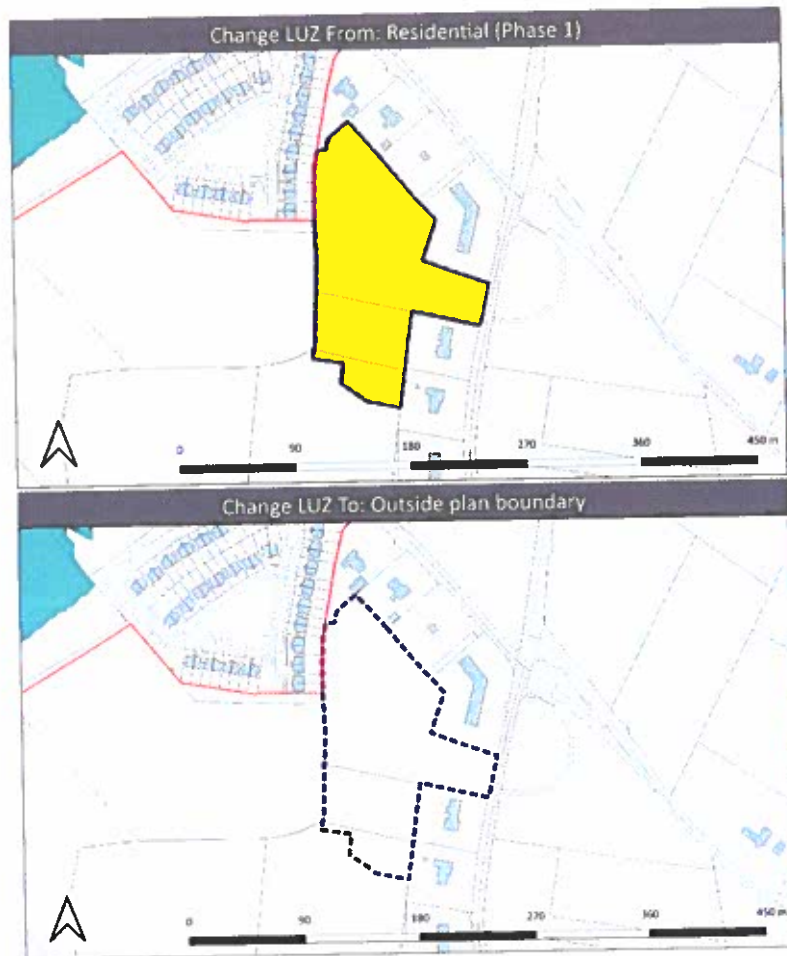
For: Cllrs. Cronnelly, Cuddy, Dolan, Herterich Quinn (4)

Against: Cllrs. Charity, Carroll (2)

Abstain: Cllr. Collins (1)

The Cathaoirleach declared Cllr. Herterich Quinn's Motion as carried.

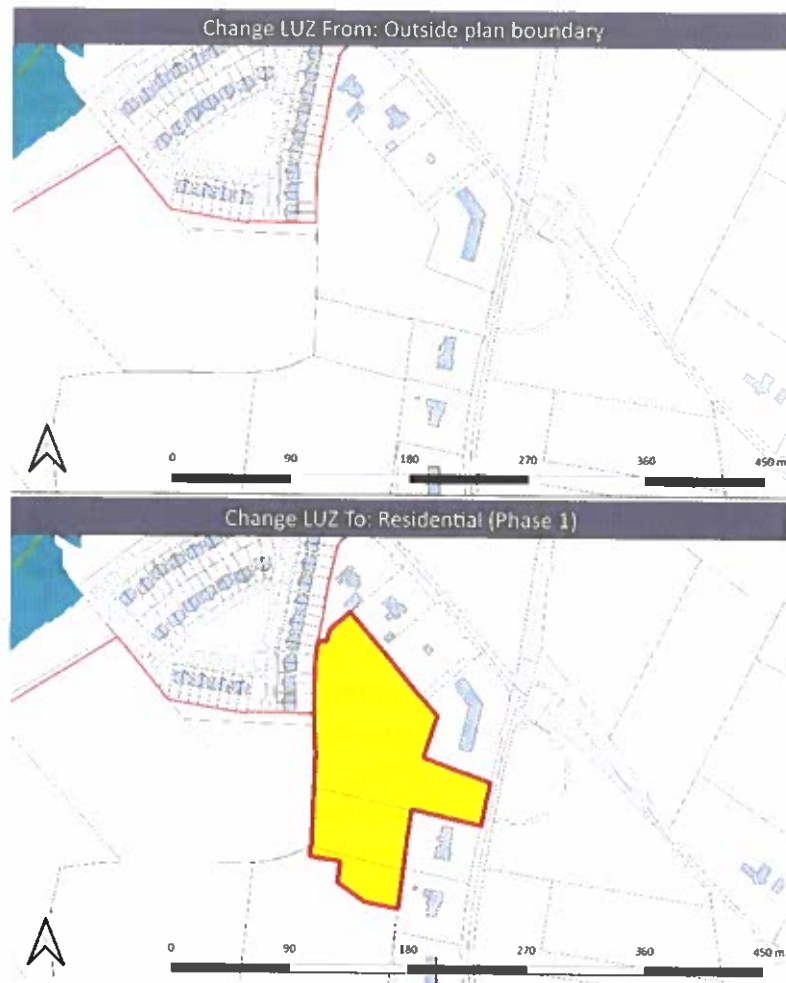
- vii. **MA47:** Revert to the provisions of the Draft Athenry LAP where these lands were not zoned.



Cllr. Herterich Quinn advised that she had submitted a Motion on MA47.

I, Cllr. Herterich Quinn respectfully disagree with the OPR & the CE's Report and accordingly, I propose the following Motion:

I wish to propose that MA47 remain and that the proposed settlement boundary be extended to return that part of the lands comprised in folio GY40258F to within the town boundary and zone them R1 as per the map submitted on Material Alteration 47 as per the Athenry Local Area Plan 2012-2022."



I wish to make reference to the previously adopted plans for the benefit of the OPR's knowledge. The OPR should be aware that these sites were included for almost 20 years and should indeed be included in the next iteration of the Athenry area plan. There is also an active planning application on this site.

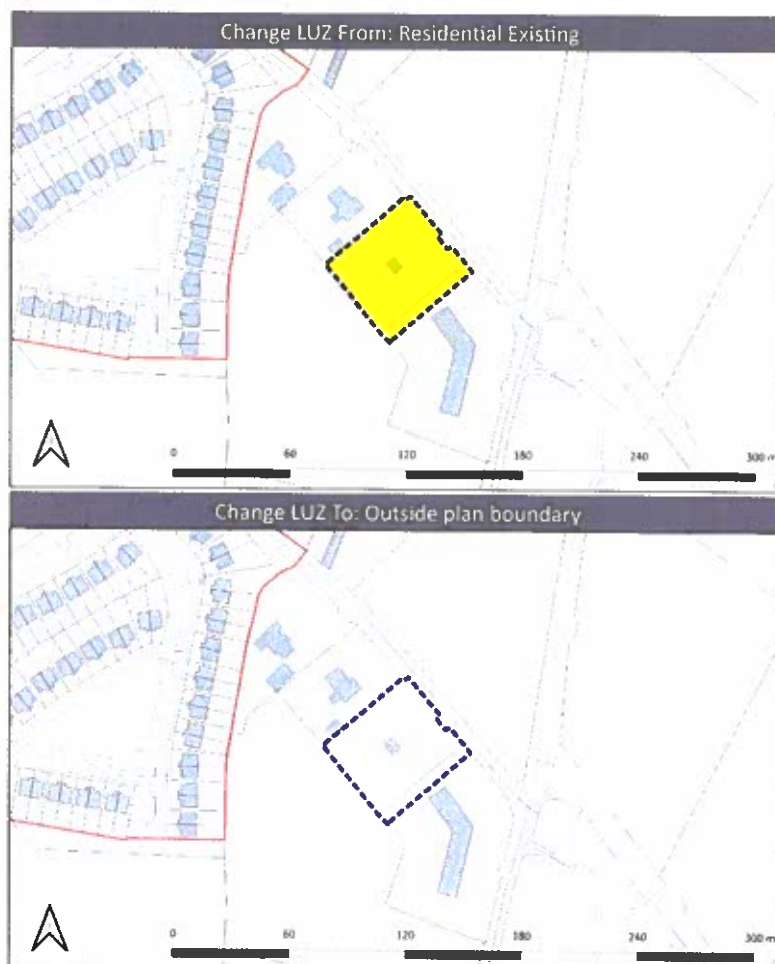
I attach copy of the rationale issued to Galway County Council on November 2nd 2023. It would be important to stress to the OPR that this site is on WC22 as per the LTP.

For our reference, MA5, in the same area, was flagged by the OPR and supported by Forward Planning. We should feel confident in this decision.

to zone more serviced land and sites for residential (or a mixture of residential and other uses), than would equate to meeting precisely projected housing demand for that settlement. This approach recognises that a degree of choice in development sites to be provided locally is desirable to avoid restricting the supply of new housing development through inactivity on a particular landholding or site." In response to the latter provisions of the DPG's, having regard to the "Strategic Potential Town" status of Athenry, the serviceability of the subject lands, the planned connectivity, and the additional choice in housing that it will provide in the future, the requested Residential zoning can be considered in this case.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

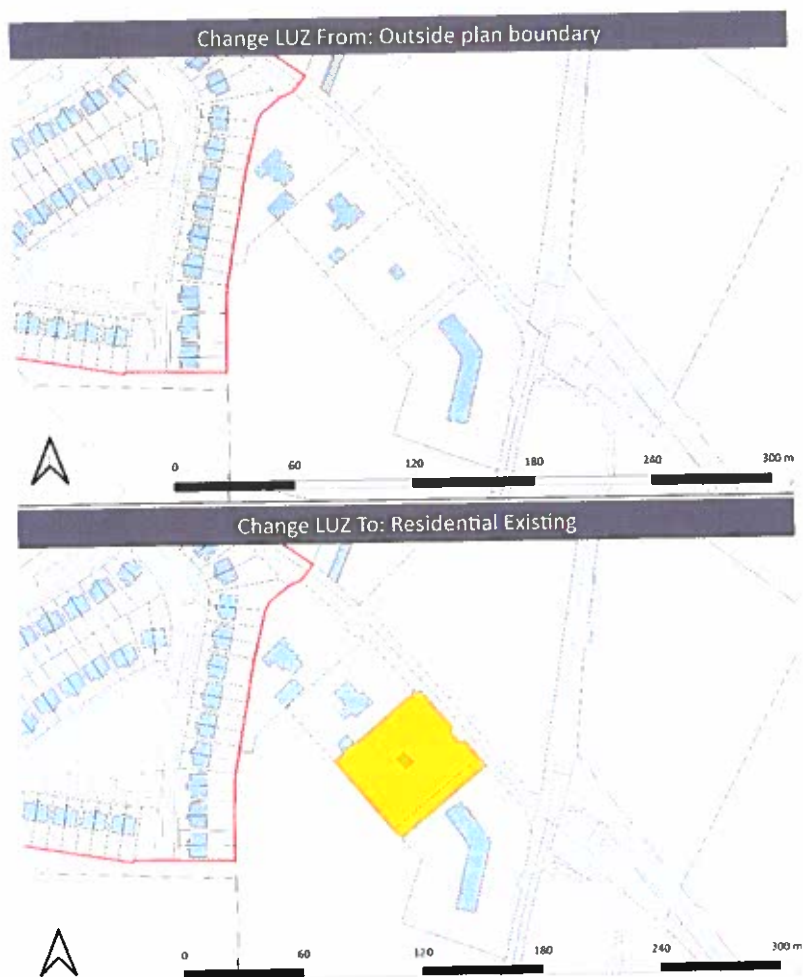
- viii. **MA48:** Revert to the provisions of the Draft Athenry LAP where this land was not zoned.



Cllr. Herterich Quinn advised that she had submitted a Motion on MA48.

I, Cllr. Herterich Quinn respectfully disagree with the OPR & the CE's Report and accordingly, I propose the following Motion:

I wish to propose that the lands referenced in MA48 and shown in the attached map, be included in the settlement boundary, and zoned Residential Existing as per the Athenry Local Area Plan 2012-2022.



Reasons:

I wish to include a reference to the previously adopted plans for the benefit of the OPR's knowledge. The OPR should be aware that these sites were included for almost 20 years and should indeed be included in the next iteration of the Athenry Area Plan. There is also an active planning application on this site.

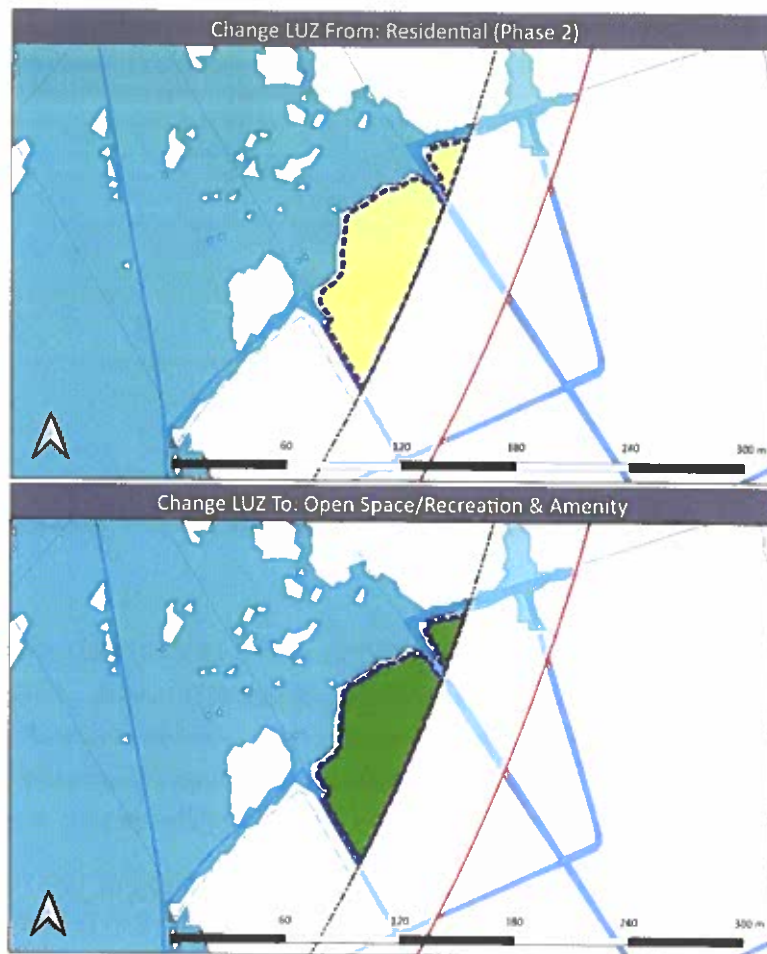
I attach a copy of the rationale issued to Galway County Council on November 2nd 2023. It would be important to stress to the OPR that this site is on WC22 as per the LTP.

For our reference, MA5, in the same area, was flagged by the OPR and supported by Forward Planning. We should feel confident in this decision.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

Cllr. Dolan advised that he would be submitting a Motion on MA49 and it was agreed by the Members to defer a decision on MA49 until then.

- ix. **MA50:** Revert to the provisions of the Draft Athenry LAP where this land was zoned Open Space/Recreation and Amenity.

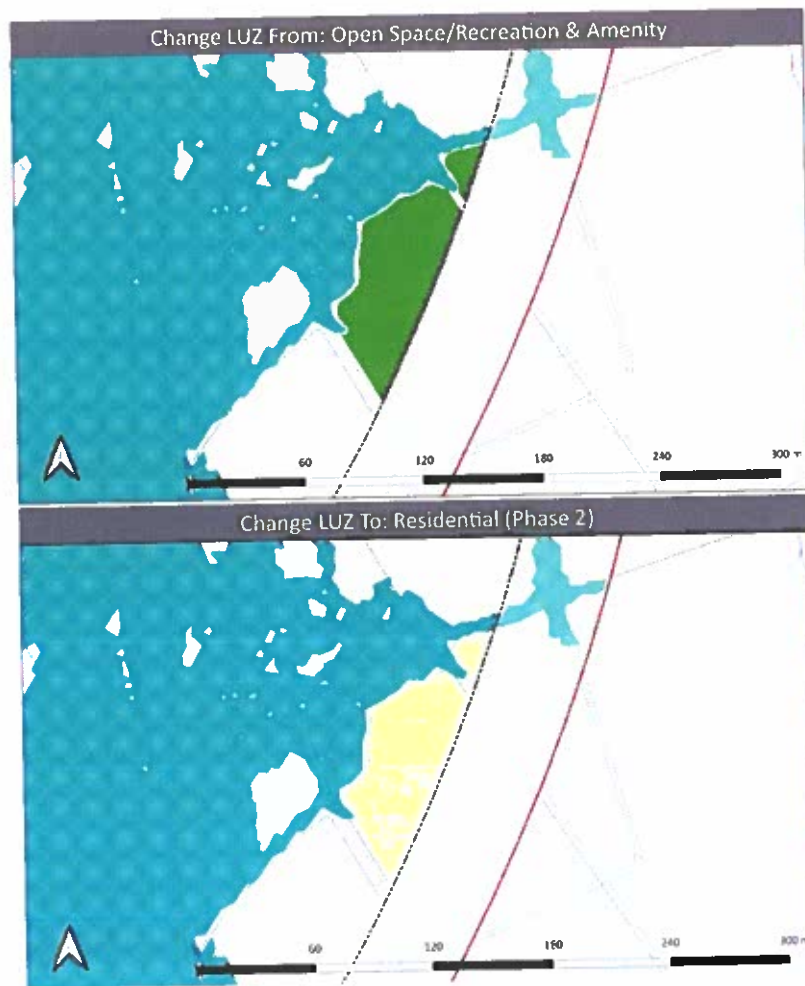


Ms. Loughnane advised that in this instance, there was flooding adjacent to this land and also access into lands was going to be difficult.

Cllr. Dolan advised that he had submitted a Motion in on MA50.

I, Cllr. Dolan submit the following Motion:

I propose that we reject the Chief Executive's proposal and retain both of these Material Alterations (MA50 & MA51).



Reasons:

This land has historically been zoned R2 and the landholders are waiting for R1 to have an opportunity to make a planning application on it. This is one of the most strategically located parcels of land within walking distance of the town centre that would serve as a great reserve of land for R2 should the rest of the towns R1 lands be developed during the lifetime of the plan.

In zoning this R2 we are facilitating good future proofing of the Athenry Local Area Plan and ensuring there is adequate residential zoned land for the future of the town, not to mention this parcels proximity to the newly completed sewer network of Athenry.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn. As the Motion was not agreed by all Members, Councillor Charity as Cathaoirleach advised that the matter would now be decided by a roll-call vote on whether Councillor Dolan's motion would be carried.

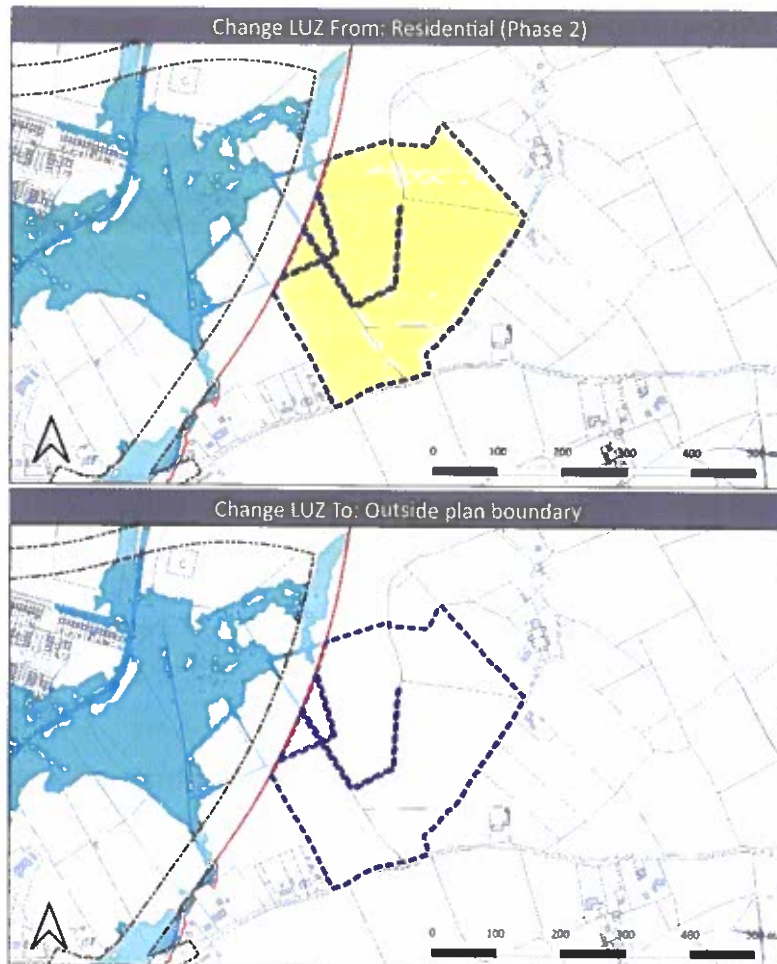
A Vote was then taken on Cllr. Dolan's Motion:

For: Cllr. Cronnelly, Cuddy, Dolan, Collins, Herterich Quinn (5)

Against: Cllr. Charity, Carroll (2)

The Cathaoirleach declared Cllr. Dolan's Motion as carried.

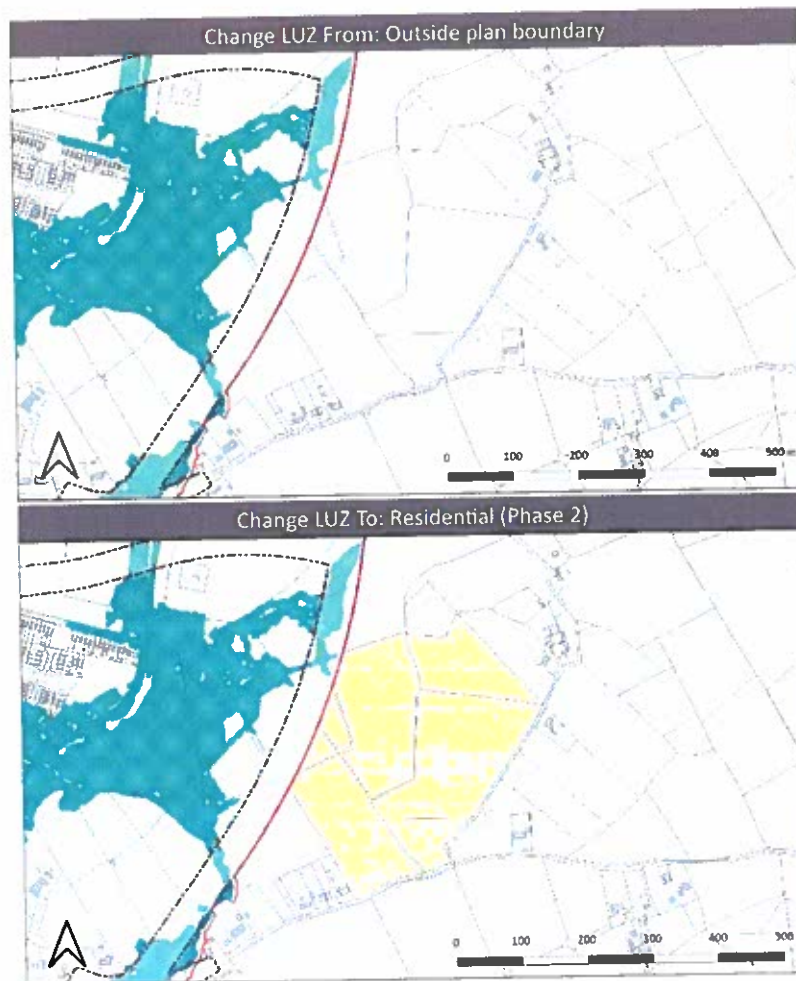
- x. **MA51:** Revert to the provisions of the Draft Athenry LAP where these lands were not zoned.



Cllr. Dolan advised that he had submitted a motion on MA51.

I, Cllr. Dolan submit the following Motion:

I propose that we reject the Chief Executive's proposal and retain both of these Material Alterations (MA50 & MA51)



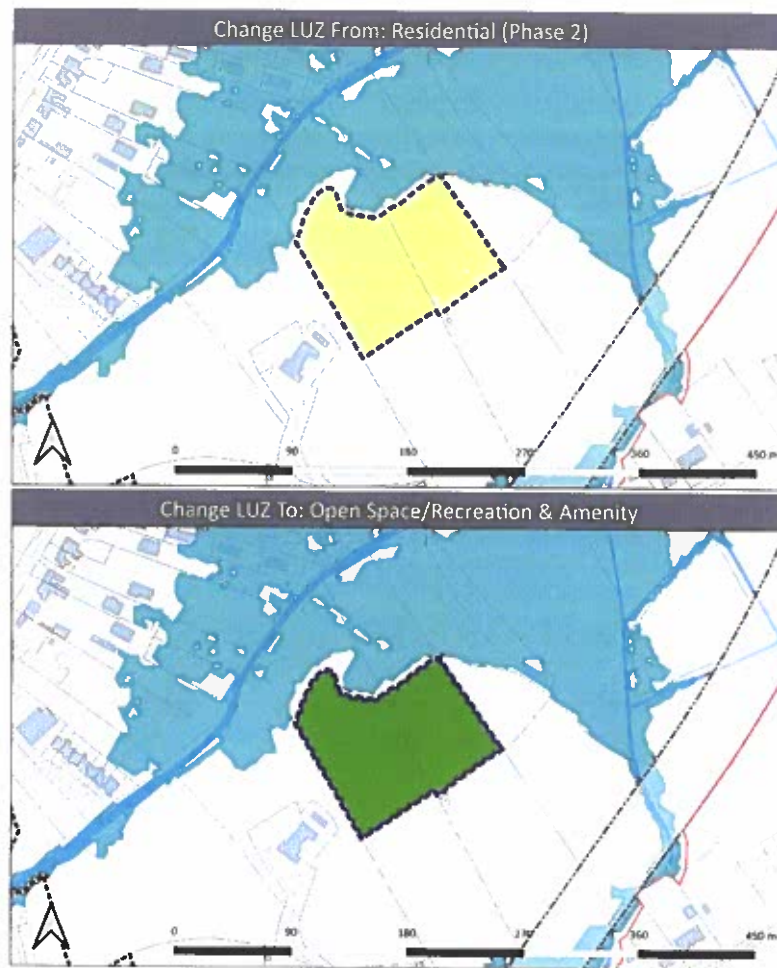
Reasons:

This land has historically been zoned R2 and the landholders are waiting for R1 to have an opportunity to make a planning application on it. This is one of the most strategically located parcels of land within walking distance of the town centre that would serve as a great reserve of land for R2 should the rest of the towns R1 lands be developed during the lifetime of the plan.

In zoning this R2 we are facilitating good future proofing of the Athenry Local Area Plan and ensuring there is adequate residential zoned land for the future of the town, not to mention this parcels proximity to the newly completed sewer network of Athenry.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn and agreed by the Members.

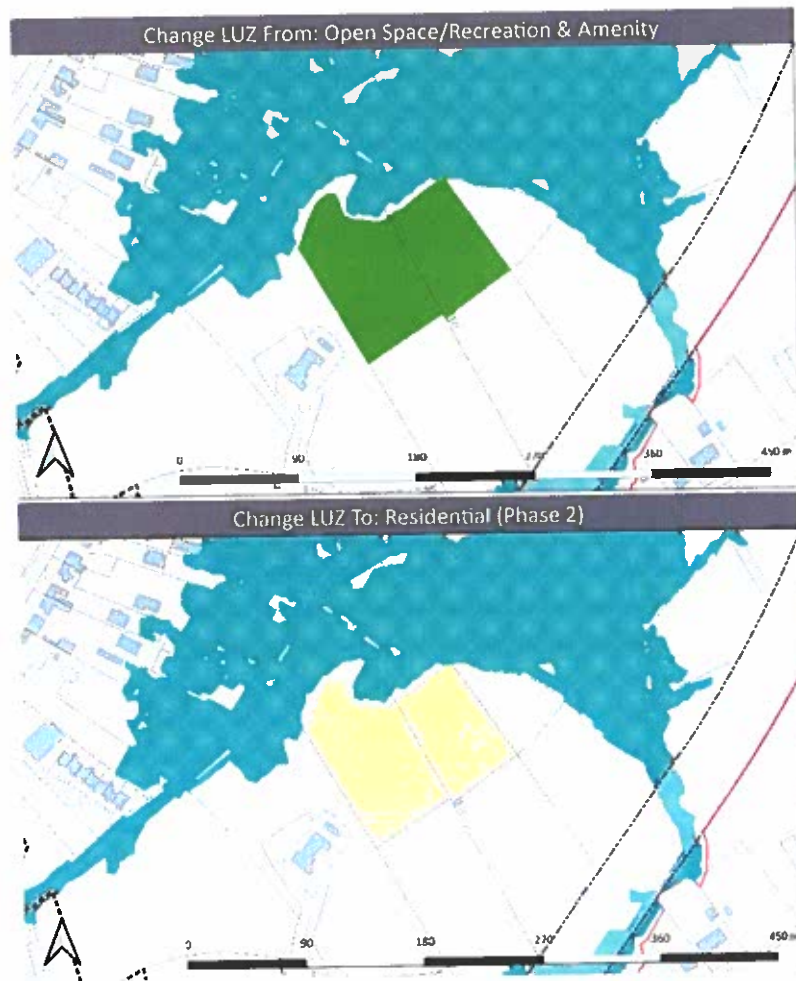
- xi. **MA59:** Revert to the provisions of the Draft Athenry LAP where these lands were zoned Open Space/Recreation and Amenity.



Cllr. Dolan advised that he had submitted a Motion on MA59.

I, Cllr. Dolan proposed the following Motion:

I propose we reject the Chief Executive's proposal and retain both of these Material Alterations (MA59 & MA60).



Reasons:

Brief history of site:

2007 – planning granted for 65 houses with treatment plant.

2016 – Builder purchased site and contacted Galway County Council for a pre-planning meeting to re-enter the plans. Was told treatment plans no longer allowed and to wait for the new town sewer which would be completed in 2/3 years.

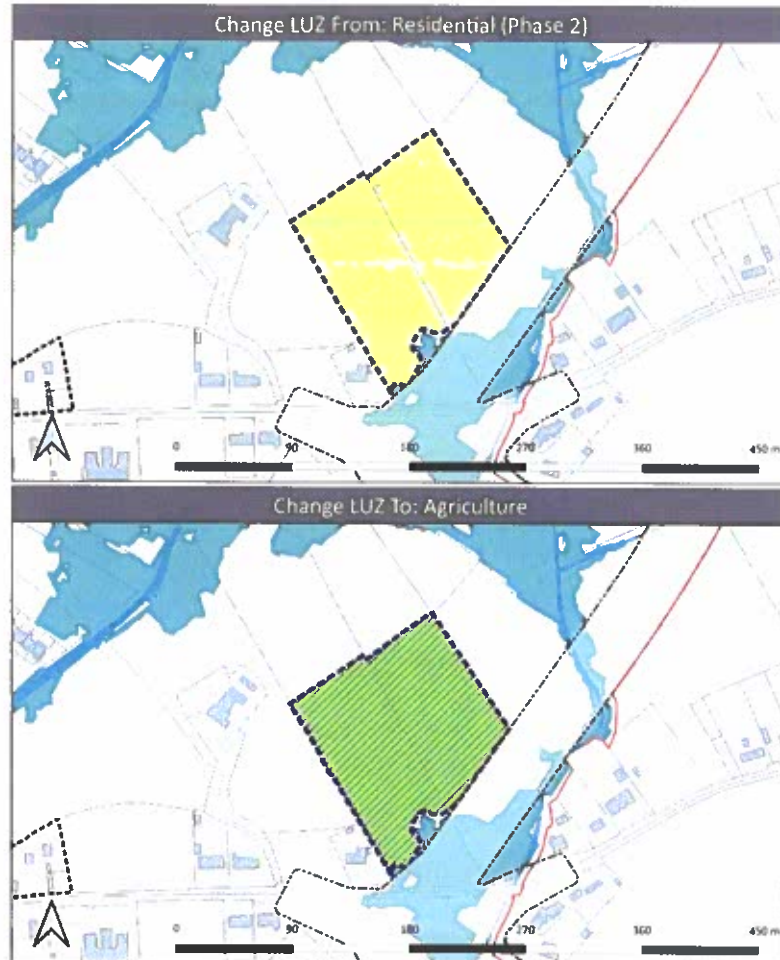
2018 – Contacted by Galway County Council and RPS about meeting to discuss sewer being put through their lands to save the project going on a large detour.

2020 – Builder agreed for wayleave to go through site at a hugely reduced rate due to RPS advising Irish Water Auctioneer that land was less valuable without planning/sewer.

2023 – sewer completed. Now land has access to sewer on-site & water on the road. Closest current site to town centre. Footpath to the well/school is high priority for locals & is under consideration so site will have connectivity.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn and agreed by the Members.

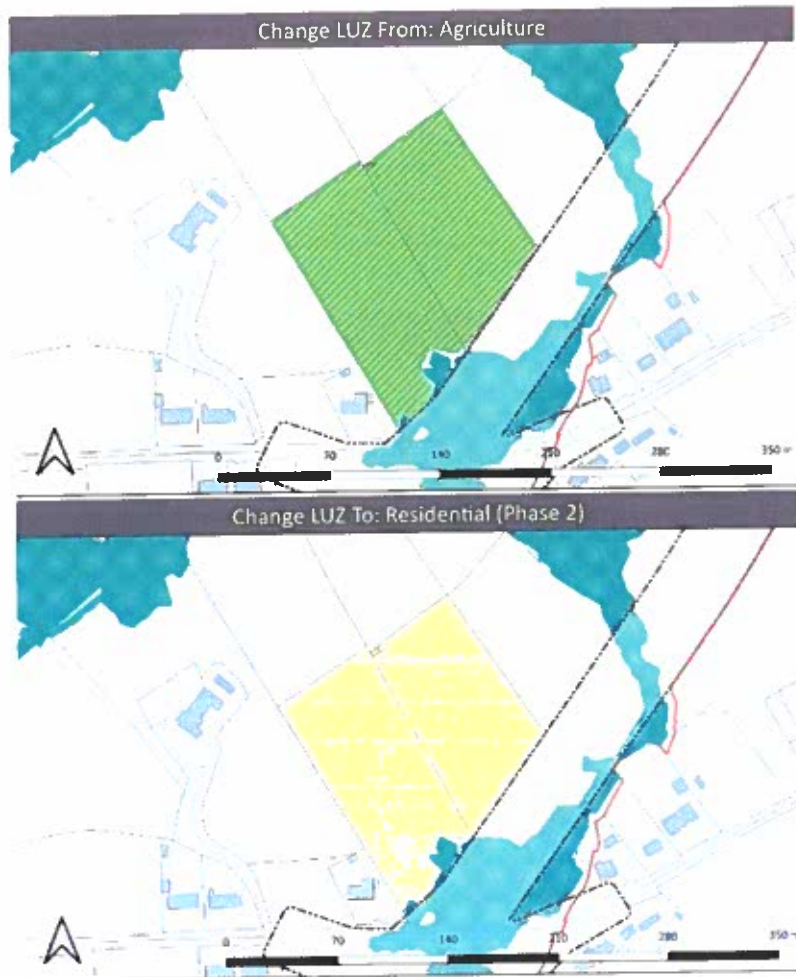
MA60: Revert to the provisions of the Draft Athenry LAP where these lands were zoned Agriculture.



Cllr. Dolan advised that he had submitted a motion on MA60.

I, Cllr. Dolan propose the following Motion:

I propose we reject the Chief Executive's proposal and retain both of these Material Alterations (MA59 &MA60).



Reasons:

Brief history of site:

2007 – planning granted for 65 houses with treatment plant.

2016 – Builder purchased site and contacted Galway County Council for a pre-planning meeting to re-enter the plans. Was told treatment plans no longer allowed and to wait for the new town sewer which would be completed in 2/3 years.

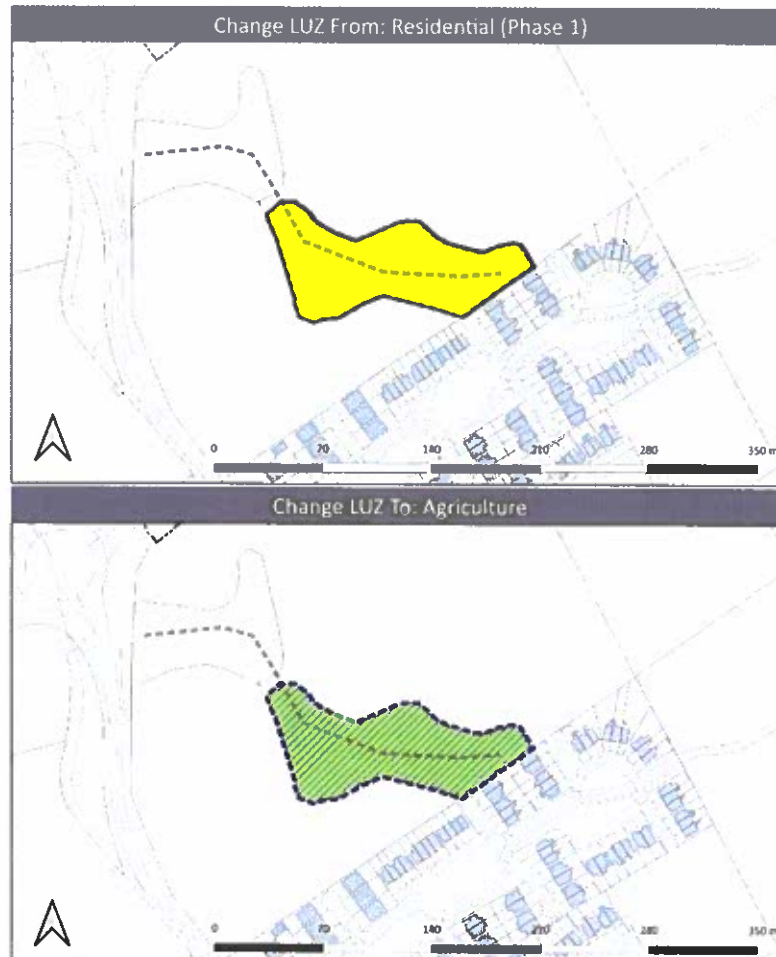
2018 – Contacted by Galway County Council and RPS about meeting to discuss sewer being put through their lands to save the project going on a large detour.

2020 – Builder agreed for wayleave to go through site at a hugely reduced rate due to RPS advising Irish Water Auctioneer that land was less valuable without planning/sewer.

2023 – sewer completed. Now land has access to sewer on-site & water on the road. Closest current site to town centre. Footpath to the well/school is high priority for locals & is under consideration so site will have connectivity.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn and agreed by the Members.

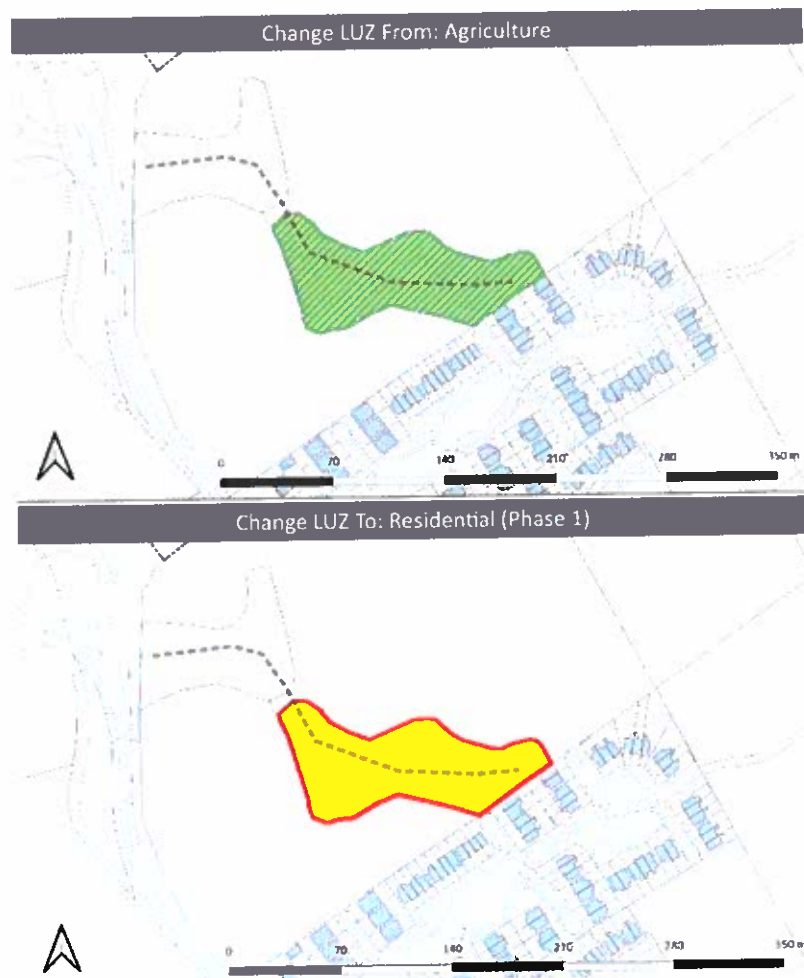
- xii. **MA65:** Revert to the provisions of the Draft Athenry LAP where this land was zoned Agriculture.



Cllr. Dolan advised that he had submitted a motion on MA65.

I, Cllr. Dolan propose the following Motion:

I, propose that we reject the Chief Executive's proposal and retain this Material Alteration (MA65).



Reasons:

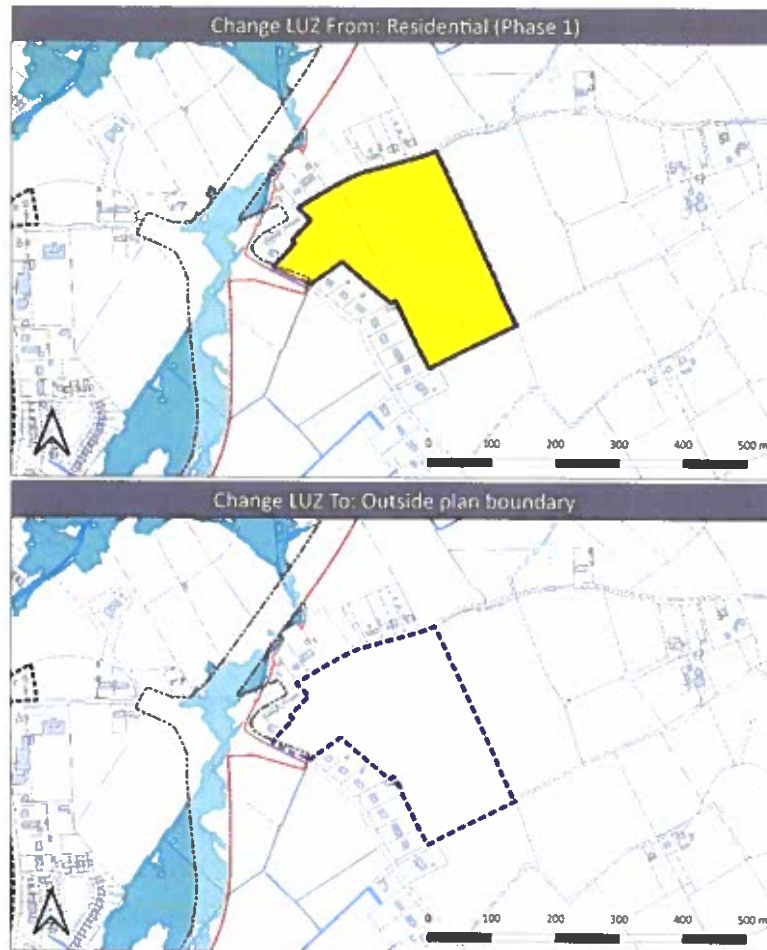
- As a result of the CE Recommendation, I am proposing that the remainder of the lands at Folio GY53302 be zoned Residential as it is effectively left landlocked and should be zoned in the interest of proper planning so that the entirety of the site can be taken into consideration in any future planning application.
- There exists significant similarity in this Draft Plan whereby the esker riada in the townland of Culairbaun is rezoned R1 following a submission (Ref: GLW-C60-77) and this esker riada is zoned Agricultural? This Esker Riada can support the protection of biodiversity and ecological connectivity within the plan including woodlands, trees and hedgerows etc. in the same way as Ref GLW-C60-77 submission can.
- As the CE has recommended that no residential zoning take place outside of the proposed Ring Road, this is an opportunity to retain R1 zoning inside the Athenry Ring Road and provide housing in a sustainable manner.

All the more reason to take advantage of the land in question which would otherwise be left as wasteland with no access.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn and agreed by the Members.

It was proposed by Cllr. Charity and agreed by the Members to Suspend Meeting for 10 minutes to allow Cllr. Dolan to submit motion of MA49.

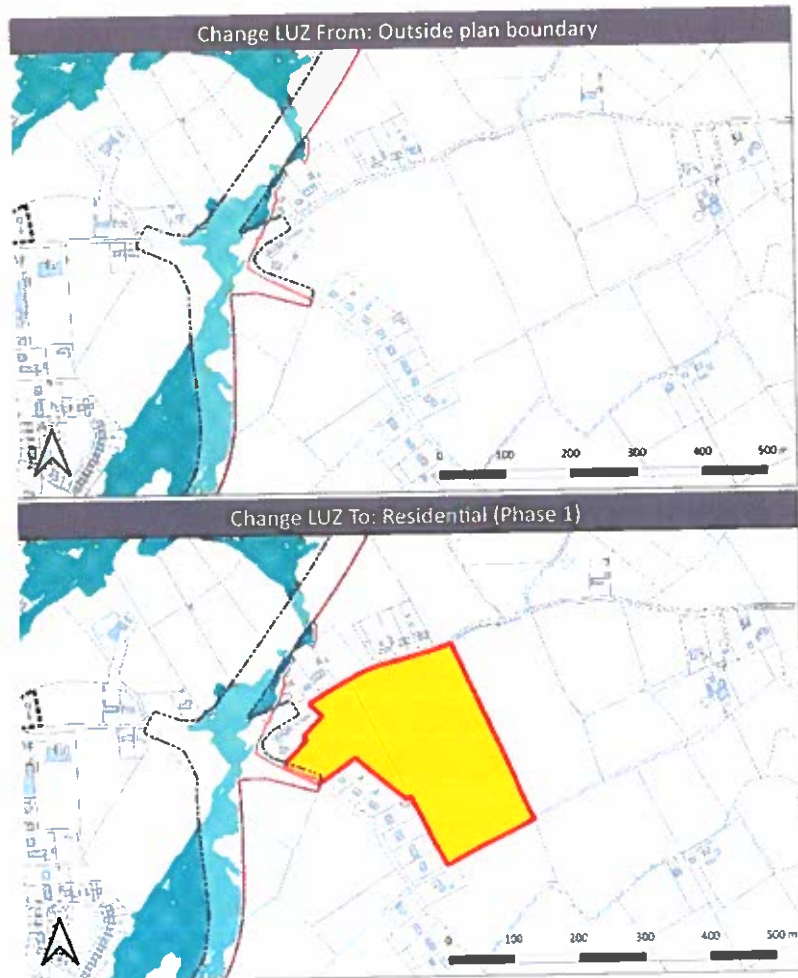
- xiii. **MA49:** Revert to the provisions of the Draft Athenry LAP where these lands were not zoned.



The CE Recommendation was proposed by Cllr. Carroll and seconded by Cllr. Charity. Cllr. Dolan advised that he had submitted a Counter Motion as follows:

I, Cllr. Dolan propose the following Motion:

I wish to propose that MA49 remain as per the original motion to bring these lands back to within the town boundary and zone them R1 as per the attached map.



Reasons:

- These previously zoned R2 lands
- They are strategically located 700m from the town centre
- They are 750m from the Railway Station
- They are 400m from the nearest school
- They are 100m from the new Athenry Sewage Pipe Network Upgrade has provided an opportunity for these lands to access the sewage system
- WC20 indicates walking and cycling infrastructure will be provided along this route.

The motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn.

As the Counter Motion was agreed by the Members, Councillor Charity declared the motion carried.

The Cathaoirleach declared Cllr. Dolan's Motion as carried.

Mr. Dunne went through MA Recommendation 2 – Land Use Zoning for Employment Use.

MA Recommendation 2 – Land Use Zoning for Employment Use

Having regard to the provision of an evidence-based strategy for employment uses which is consistent with the proper planning and sustainable development of the area, and in particular to the following:

- an evidence-based rationale for both the requirement to zone lands and the location and type of employment in accordance with section 6.2.5 of the Development Plans, Guidelines for Planning Authorities (2022) and the sequential approach to zoning for high intensity employment in accordance with Appendix A section 1.4;
- the National Strategic Objective for compact growth and NPO 74;
- the regeneration of towns under NPO 6 and RPO 3.1 and Town Centre First: A Policy Approach for Irish Towns (2022); and
- NPO 72a-c and Appendix 3 of the NPF for the co-ordination of land use zoning, infrastructure and services,

the planning authority is required to review the following proposed Material Alterations and appropriately reduce the quantity of land required to accommodate employment growth in Athenry:

- (i) MA54 - from Agriculture to Business and Enterprise;
- (ii) MA55 – from Outside the Settlement Boundary to Industrial;
- (iii) MA56 - from Outside the Settlement Boundary to Industrial;
- (iv) MA58 - from Outside the Settlement Boundary to Industrial; and
- (v) MA64 – from Outside the Settlement Boundary to Industrial.

As part of this review, the planning authority is required to:

- a) provide an evidence-based rationale for the overall quantity and the spatial location of all employment generating land use zonings;
- b) consider all relevant infrastructural capacity in applying the tiered approach to zoning as well as taking realistic account of the impediments to the delivery of infrastructure within the plan period;
- c) omit any lands which cannot be justified under (i) and (ii) above; and
- d) include clear objectives in the LAP to facilitate and require pedestrian/cycling permeability between the employment lands and the town centre before or in tandem with the development of the said land.

Chief Executive's Response

During the Municipal District meeting, several motions were proposed by the Elected Members specifically relating to Material Alterations referenced above which did not form part of the sequential analysis of lands considered during the preparation of the Draft Athenry LAP 2023 - 2029 due to their location.

The Planning Authority acknowledge the view of the OPR with regards to Material Alterations MA54, MA55, MA56, MA58 and MA64 and therefore these lands should revert as per the Draft Athenry LAP 2023 - 2029.

Chief Executive's Recommendation

- i. **MA54:** Revert to the provisions of the Draft Athenry LAP where this land was zoned Agriculture.



Cllr.

Quinn advised that she had submitted a Motion on MA54.

Herterich

I, Cllr. Herterich Quinn propose the following Motion:

I propose that MA54 remain and that the land marked in the attached map be zoned Business and Enterprise as requested.



Reasons:

This land has access to the Athenry Northern Distributor Road

This land is adjacent to the newly granted planning application for Dexcom (1,000 jobs)

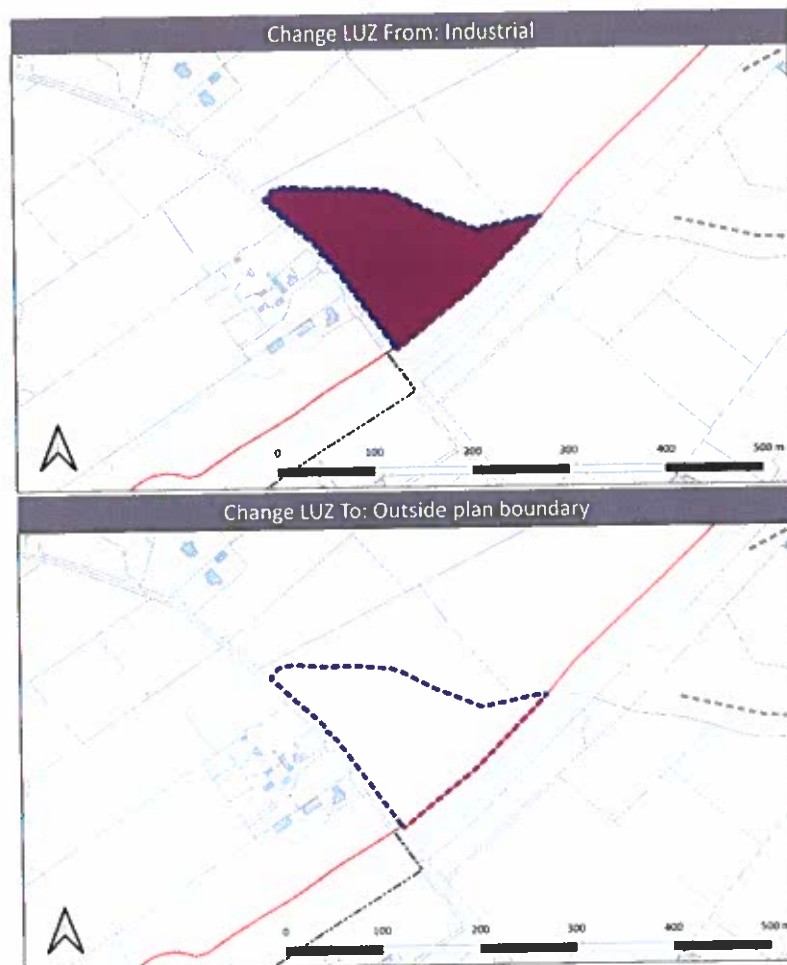
There are plans for a sewer connection close to this location.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Dolan and agreed by the Members.

Cllr. Herterich Quinn advised the Meeting that the landowner has received Notice to Enter and construction would be starting on these lands in Q2 2024.

In response to query from Mr. Dunne, Cllr. Herterich Quinn advised that she was referring to the construction of the "elbow" section of the Ring Road.

- ii. **MA55:** Revert to the provisions of the Draft Athenry LAP where this land was not zoned.



Cllr. Herterich Quinn advised that she had submitted a motion on MA55.

I, Cllr. Herterich wish to propose the following Motion:

I propose that MA55 remain and that the land marked in the attached map be zoned Industrial as requested.



Reasons:

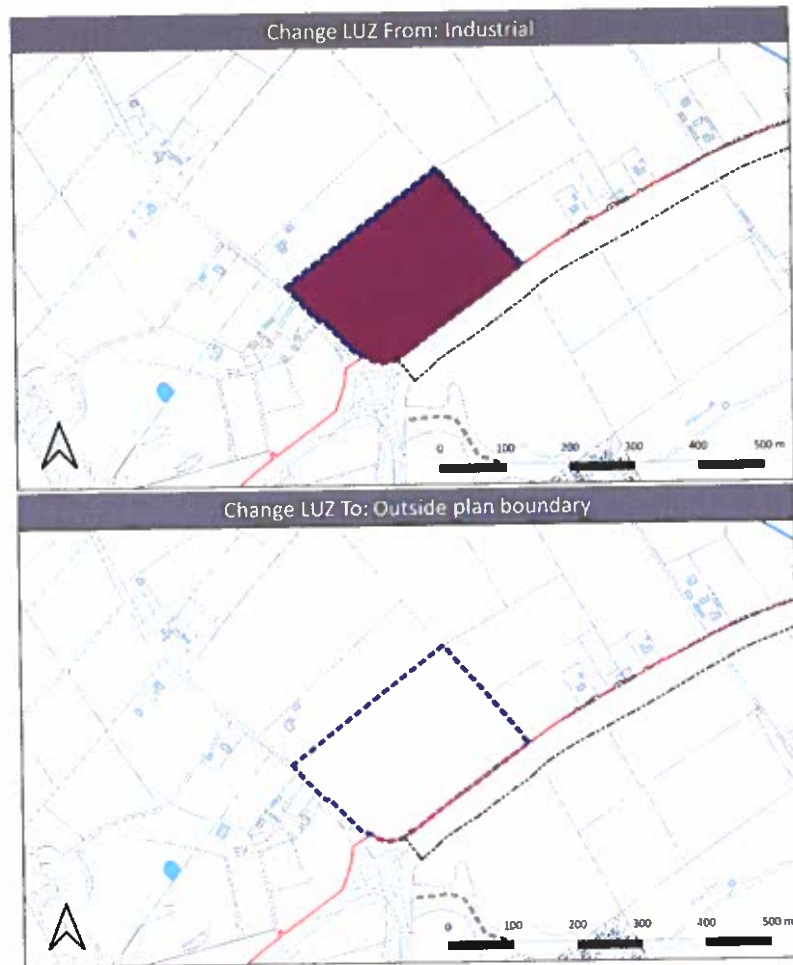
- This land is connected to the recently granted planning application for Production Equipment UC
- This land has access to the Athenry Northern Distributor Road
- There are plans for a sewer connection to this location
- Strategic Infrastructure Links;
- Vehicular Access to M17/18;
- Availability to sewerage and water infrastructure;
- Pedestrian connectivity with public lighting between the subject site and settlement;
- Lands are located within close proximity to the proposed Dexcom development on the IDA lands;
- Located within walking distance from Commercial, Employment and Community Facility zones;
- The subject lands have the potential to integrate the remnants of the Esker Riada as part of the future layout design, and;

- No flooding or environmental designations

On this basis, I make this motion.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

- iii. **MA56:** Revert to the provisions of the Draft Athenry LAP where this land was not zoned.

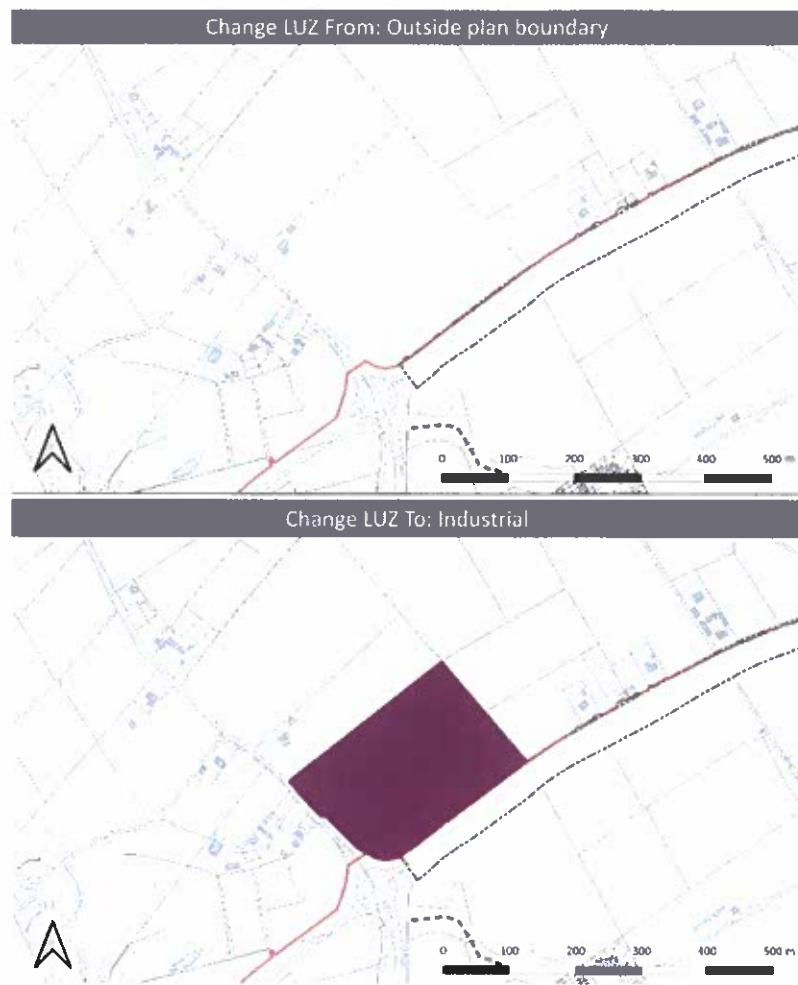


Due to potential Conflict of Interest, Cllr. Dolan left the Meeting while Submission MA56 was being discussed.

Cllr. Herterich Quinn advised that she had submitted a motion on MA56.

I, Cllr. Herterich Quinn propose the following Motion:

I propose that MA56 remain and the land marked in the attached map be zoned Industrial as requested.



Reasons:

- This land is connected to the recently granted planning application for Production Equipment UC
- This land has access to the Athenry Northern Distributor Road
- There are plans for a sewer connection to this location
- Strategic Infrastructure Links;
- Vehicular Access to M17/18;
- Availability to sewerage and water infrastructure;
- Pedestrian connectivity with public lighting between the subject site and settlement;
- Lands are located within close proximity to the proposed Dexcom development on the IDA lands;

- Located within walking distance from Commercial, Employment and Community Facility zones;
- The subject lands have the potential to integrate the remnants of the Esker Riada as part of the future layout design, and;
- No flooding or environmental designations

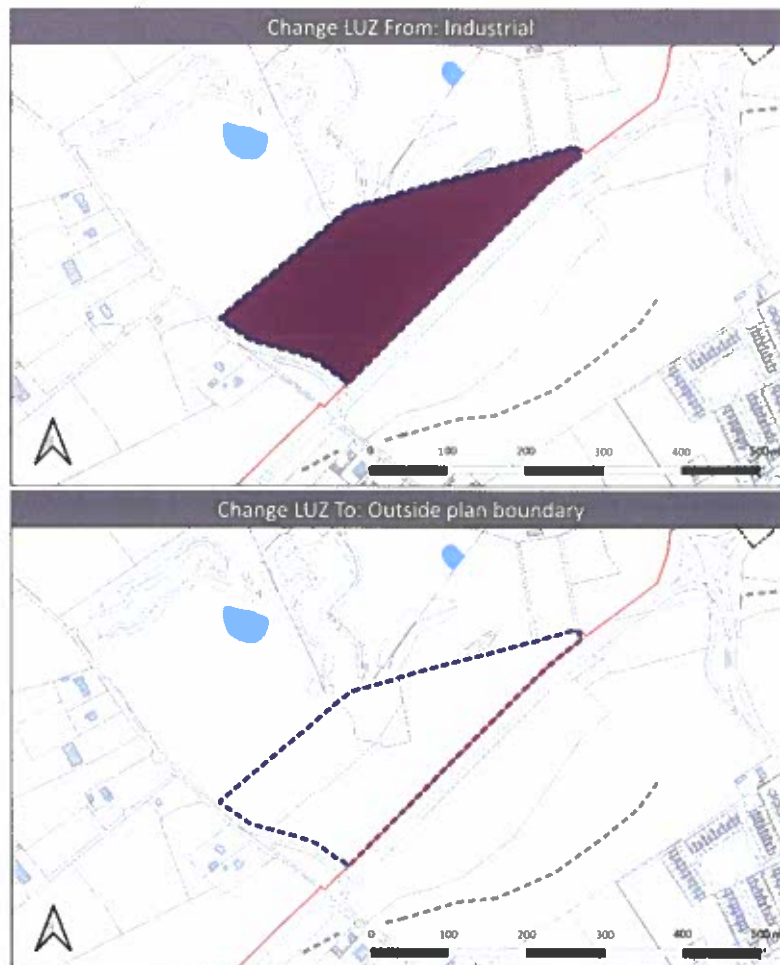
On this basis, I make this motion.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Cronnelly and agreed by the Members.

Cllr. Dolan re-joined the Meeting.

Due to potential Conflict of Interest, Cllr. Cronnelly left the Meeting while Submission MA58 was being discussed.

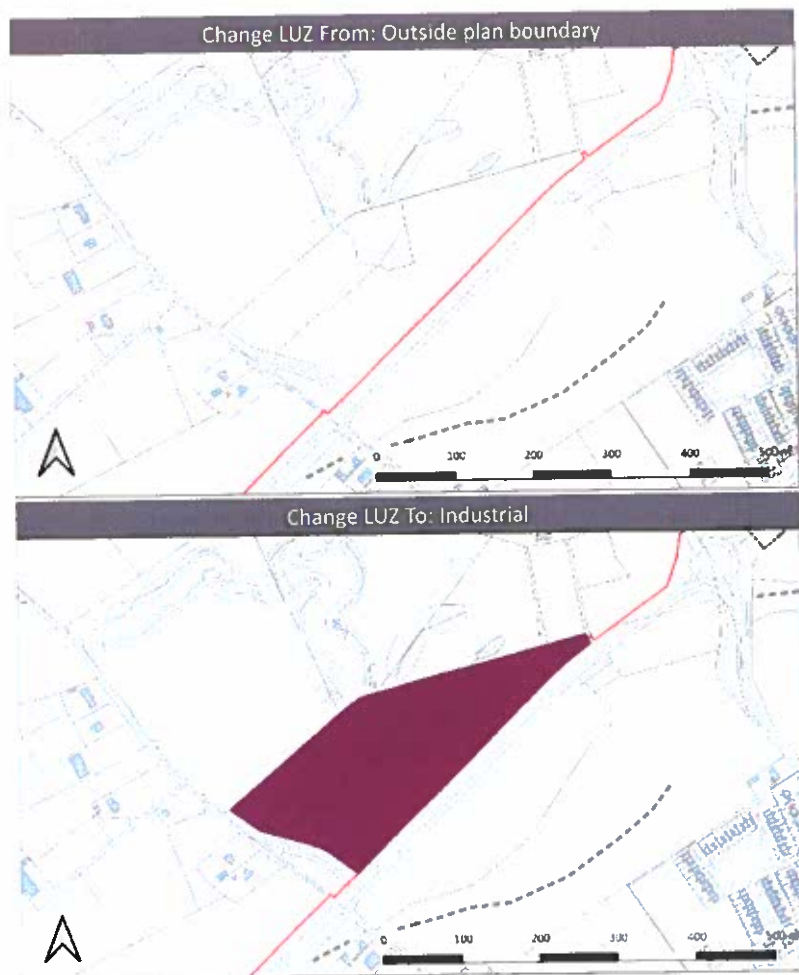
- iv. **MA58:** Revert to the provisions of the Draft Athenry LAP where these lands were not zoned.



Cllr. Dolan advised that he had submitted a Motion on MA58.

I, Cllr. Dolan propose the following Motion:

I propose that we reject the Chief Executive's proposal and retain the lands zoned Industrial and Employment as per MA58.



Reasons:

- This road adjoins the Athenry Ring Road and presents an opportunity for great industrial opportunity;
- Strategic Infrastructure Links;
- Vehicular Access to M17/18;
- Availability to sewerage and water infrastructure;
- Pedestrian connectivity with public lighting between the subject site and settlement;
- Lands are located within close proximity to the proposed Dexcom development on the IDA lands;
- Located within walking distance from Commercial, Employment and Community Facility zones;
- The subject lands have the potential to integrate the remnants of the Esker Riada as part of the future layout design, and;
- No flooding or environmental designations.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn and agreed by the Members.

Cllr. Cronnelly re-joined the Meeting.

Cllr. Herterich Quinn advised that she wished to submit a motion on MA64 and it was agreed by Members to defer a decision on same.

Mr. Dunne went through MA Observation 1 – Open Space Provision:

MA Observation 1 – Open Space Provision

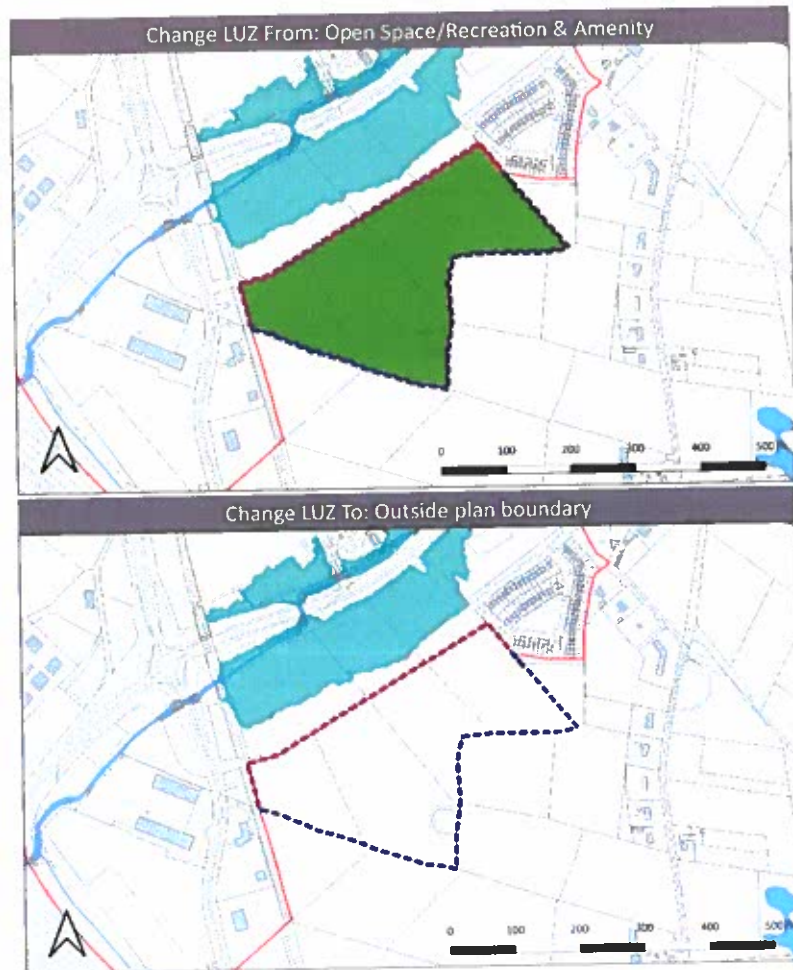
The planning authority, in accordance with NSO 1 of the NPF, is requested to provide clarification as to the future intended use of the lands at proposed Material Alteration MA37, and to demonstrate how these lands will be accessible using active travel measures. If this is not possible, the planning authority is advised to consider making the LAP without Material Alteration MA37 (Outside Settlement Boundary to Open Space/Recreation & Amenity).

Chief Executive's Response

The contents of the submission are noted. The zoning of lands for Open Space/Recreation and Amenity are generally welcomed in settlement plans however in this instance there is limited access arrangements. The Planning Authority accepts the view of the OPR in regard to Material Alteration MA37 and it is considered that this Material Alteration does not comply with NSO 1 and is not consistent with the NPF.

Chief Executive's Recommendation

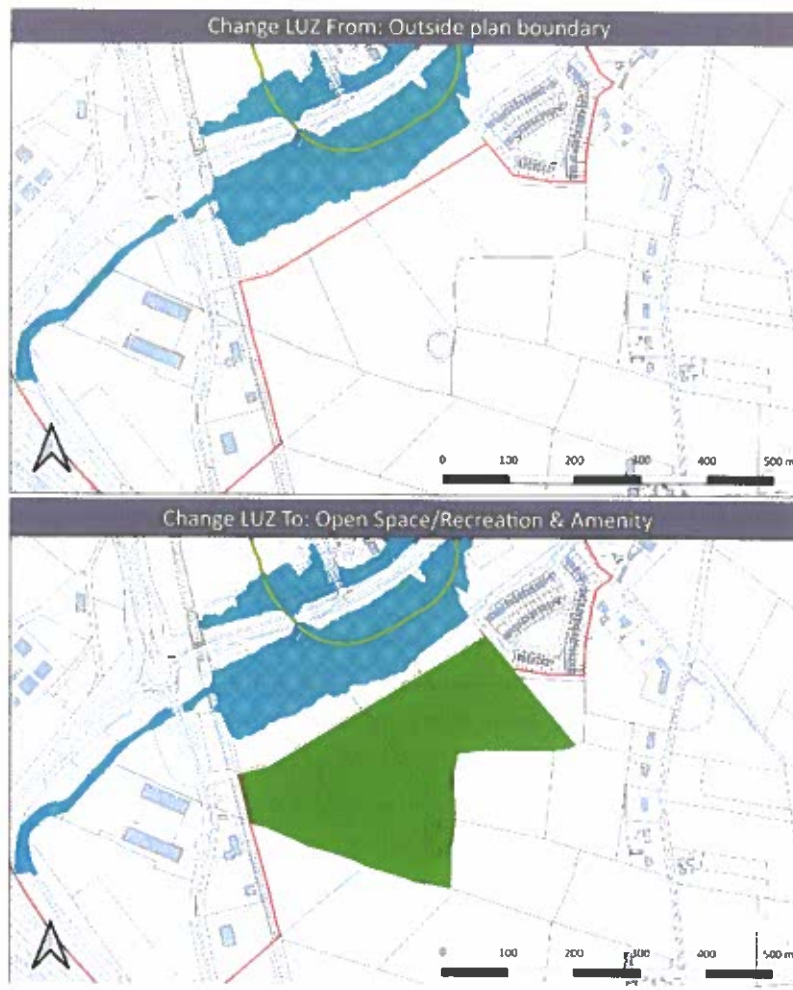
- i. **MA37:** Revert to the provisions of the Draft Athenry LAP where these lands were not zoned.



Cllr. Herterich Quinn advised that she had submitted a motion on MA37.

I, Cllr. Herterich Quinn propose the following Motion:

I propose that MA37 remain and that the land marked in the attached map be zoned Open Space/Recreation and Amenity as requested.



Reasons:

- This land has access to the Athenry Distributor Road which has plan for traffic calming and active travel measures;
- It is extremely close to a Nursing Home;
- It has the potential to provide safe walking routes for elderly and vulnerable people;
- Is close to two post primary schools;
- This land is close to the newly granted planning application for Dexcom (1,000 jobs);
- A new pump station has been built by Irish Water;
- That this site has good road and active travel accessibility;
- That the bypass it is adjacent to has plans for traffic calming and active travel measures.

The Motion was proposed by Cllr. Herterich-Quinn, seconded by Cllr. Dolan and agreed by the Members.

Mr. Dunne advised that these are state owned lands. He advised that MA5 are Council owned lands and access arrangements could devalue these lands. He also pointed out to the Meeting that these lands are isolated.

MA Recommendation 3 – Flood Risk Management

Having regarding to flood risk management, and in particular to the following:

- National Policy Objective 57; and
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines),

the planning authority is required to:

- (i) review the Strategic Flood Risk Assessment for the Furzypark area of Athenry to ensure that the flood risk extents proposed as part of Material Alteration MA13 are consistent with the relevant flood maps prepared by the OPW and other agencies;
- (ii) ensure that any flood risk associated with this area is assessed in accordance with the application of the sequential approach and the Justification Test where appropriate, and having regard to potential climate change effects and potential impact on adjoining vulnerable uses; and
- (iii) consider potential remedies for this matter at this stage of the local area plan making process which may include omitting or amending zonings that do not meet the Justification Test in accordance with the provisions of the aforementioned Flood Guidelines.

The planning authority should consult with the OPW regarding the Recommendation.

Chief Executive's Response

See Chief Executives Response to GLW-C72-8 in relation to the OPW Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-8 in relation to the OPW Submission.

Mr. Dunne advised the Members that MA Recommendation 3 – Flood Risk Management would be dealt with under Office of Public Works Submission GLW-C72-8 later.

This was Noted by the Members.

PRESCRIBED AUTHORITIES

GLW – C72- 24 – UISCE EIREANN

Ms. Loughnane went through submission received from Uisce Eireann and read CE Response and Recommendation.

A comprehensive submission was received from Uisce Éireann. There is broad welcome for the inclusion of the proposed Material Alterations based on the consideration of the initial submission (GLW-C60-127).

MA's amending Land Use Zonings:

It is stated that available network information indicates that network extensions maybe required to service zoned sites.

It is stated that depending on the extent of development realised localised networks upgrades may be required particularly in areas where areas served by 150mm diameter sewers or watermains with a diameter of 80mm or less. It is stated that third party agreement would be required where it is proposed to service new sites.

It is stated that there is a significant increase in the amount of residential land including Residential Phase 1 and Phase 2 Lands.

The following are site specific comments in relation to a number of Material Alterations

MA3

This site is an extension to the north of an area that was already zoned for phase 1 residential. Foul sewer is available to the east of the site in the adjacent estate and in the Cluain Lara estate, third party permissions may be required. There is a 80 mm water supply pipe that could serve this site from Raheen Road, though this is likely to require an upgrade.

MA5 and MA47

These two sites are adjacent to each other and are considered together. Uisce Éireann is in the process of upgrading the sewer system at Athenry and new rising main is being installed in Pairc na hAbhainn with an associated pumping station. Any new

development in this area would connect into this new system, connection could be via the Páirc na hAbhainn estate or via the public road with a network extension. Connection to the water network could be via the adjacent estate or along the adjoining roads, localized upgrades may be required. Third party permissions may be required.

MA22

Available GIS indicates a 100mm private water supply pipe runs within this site. Sewer and water network is available 50m west of this site.

MA24 and MA65

This site connects on to the Garrai Glas estate which according to UÉ GIS mapping does not have a public sewer network, a developer may be able to connect into private networks within this estate, third party permissions and localized upgrades may be required. Local knowledge may provide greater clarity with regard to the extents of the public network. Alternatively, water supply and public sewer networks are available in Garrai Glas Park and via the adjoining Phase 1 zoned sites and extension to the public networks on the R347.

MA25

Estate is currently served by a private sewer network and Developer Provided Infrastructure, connection of the estate to the public network would be subject to connection agreement. Available GIS indicates public water and sewer networks are available in the adjacent Garrai Glas estate and in the public road at the entrance to the estate.

MA32

A 300mm trunk watermain is within/ immediately adjacent to the north-west stretch of land and must be protected.

MA39

There is a substantial amount of land that is designated as Residential Phase 1 and it is unclear why this site needs to be brought forward from Phase 2. An extension (ca. 250m) would be required to connect to the new sewer under construction to the west. Localised water network upgrades may be required.

MA40, MA41 and MA42 (considered as one)

There is a substantial amount of land that is designated as Residential Phase 1 and it is unclear why these sites need to be brought forward from Phase 2. New sewer under construction in the road adjoining the western boundary of the site. Watermains available in the road to the north, localized upgrades may be required.

MA43

New sewer under construction in the road adjoining the eastern boundary. Extension of approx. 100m may be required to connect to the water distribution network.

MA46 and MA49

Together these areas will extend residential development beyond the existing settlement boundary to the east of the new road. Water supply could be obtained from a 80mm pipe within the highway to the north of the site, though this would require an upgrade over an extended length (400m+). An extension of 150m to 350m would be required to connect to the new gravity sewer (under construction).

MA 50 and MA51

There is a significant amount of land zoned for Phase 1 and Phase 2 Residential and it is unclear why these sites would be required during the plan period. MA50

is an isolated site with no road access or water services. A long extension (ca.350m) along the L3112 would be required to connect MA51 to the new sewer. Water supply could be served from the 80mm pipe on the L3112, though this would likely require an upgrade over an extended length (400m+)

MA53

225mm sewer passing through site to be protected.

MA54

There is a 150mm water supply pipe within the L3103. There are no sewers that serve this site. However, there is a 300mm sewer under construction from the junction of Gort Mhaolir and the L3103, this appears to be the closest potential connection point for the developer, approx.450m away.

MA55 and MA64

These areas are not served by the public sewer system, the closest sewer is 900m away to the south at the Gort Mhaolir estate and would require a crossing of the ring road. The nearest distribution water supply is from the L3103.

MA56

This site is not served by the mains sewer system, available GIS indicates the nearest sewer is at least 400m away at the Pairc na Ri estate, ring road crossing would be required. There is a 80mm water supply pipe in the road to the west of the site and a 50mm water supply pipe in the road to the south, localized upgrades are likely to be required in order to service the site.

MA58

This site is not served by the public sewer system, the nearest sewer is approx. 700m away and would require a crossing of the ring road. Likely water supply connection would be via 200m network extension to the distribution network on the R347. There is a trunk water main that runs to the west of the site. However, connection to this asset may not be possible, further assessment would be required.

MA59 and MA60

A water supply could be obtained from a 80mm pipe on the L3112, though this would require an upgrade and third party permissions may be required. UÉ's proposed upgrade of the sewer system in Athenry includes a new 375mm foul sewer which would run to the east of the proposed sites. Should this site be developed then suitable separation distances would need to be included to protect this asset.

MA67 and MA68

The above should inform the Infrastructure Assessments

MA36

The potential operational impacts for existing wastewater treatment facilities should be considered when assessing applications for the development of sensitive receptors in the vicinity of WWTPs. Land use policy objective ASP 27 Public Utilities will be applicable in this instance.

The following are specific comments to text as follows:

Uisce Éireann welcomes the amendments to DM Standard 2 (MA18), text within Section 2.10 (MA19) and the deletion of Policy Objective ASP 68 (MA20). The wastewater network upgrade project is well underway and due for completion in 2024.

With regard to the proposed amendments on wastewater in MA19 and suggest the following:

Retain: 'In recent years Uisce Éireann has.....and thereby protecting the Clarin River.

'Delete: 'Ultimately these works have resulted in the plant operating beyond capacity'.

Move to end of paragraph: 'A network project...to cater for the targeted growth in the town.'

Reference to text in relation to the Wastewater Treatment and Water Supply that was submitted as part of the submission made to the Draft Athenry LAP 2023 – 2029.

Chief Executive's Response

Submission noted.

Noted.

Noted.

Noted.

The Material Alteration was proposed and is in accordance with the Core Strategy Allocation of the GCDP 2022 - 2028.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted.

Noted.

The Material Alteration was proposed due to a reconfiguration of Residential Phase 1 lands. However due to the connectivity issues at this location it is considered that these lands should revert to Residential Phase 2 as per the Draft Athenry LAP 2023 – 2029 and subsequently MA38 should revert to Residential Phase 1 as per the Draft Athenry LAP 2023 – 2029.

Noted. See Chief Executives Response to GLW-C72-25 in relation to MA40 and MA41 and Recommendation 1 of the OPR Submission.

In relation to MA42 and taken into account the OPR submission and Chief Response and Recommendation the Planning Authority considers it appropriate that MA42 revert to the zoning of the Draft Athenry LAP 2023 – 2029 (Existing Residential).

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Noted.

Noted.

Noted.

Noted and as a result of the minor modification requested to wording that has already been included in the Draft Plan it is considered that the following is appropriate.

In recent years Uisce Éireann has completed a €5 million upgrade to the Athenry Wastewater Treatment Plant to increase capacity and improve water quality in the Clarin River in partnership with Galway County Council. The work has resulted in a plant that will provide improved wastewater discharge standards, ensuring compliance with the requirements of the Urban Wastewater Treatment Directive and thereby protecting the Clarin River.

It is considered appropriate to delete the following text as follows ~~Ultimately these works have resulted in the plant operating beyond capacity.~~

A network project to resolve capacity constraints, eliminate noncompliant combined sewer overflows and improve water quality recently commenced construction and will provide sufficient network capacity to cater for the targeted growth in the town.

Noted.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Reinsert the text as follows in Section 2.10 Water Supply and Wastewater Treatment;

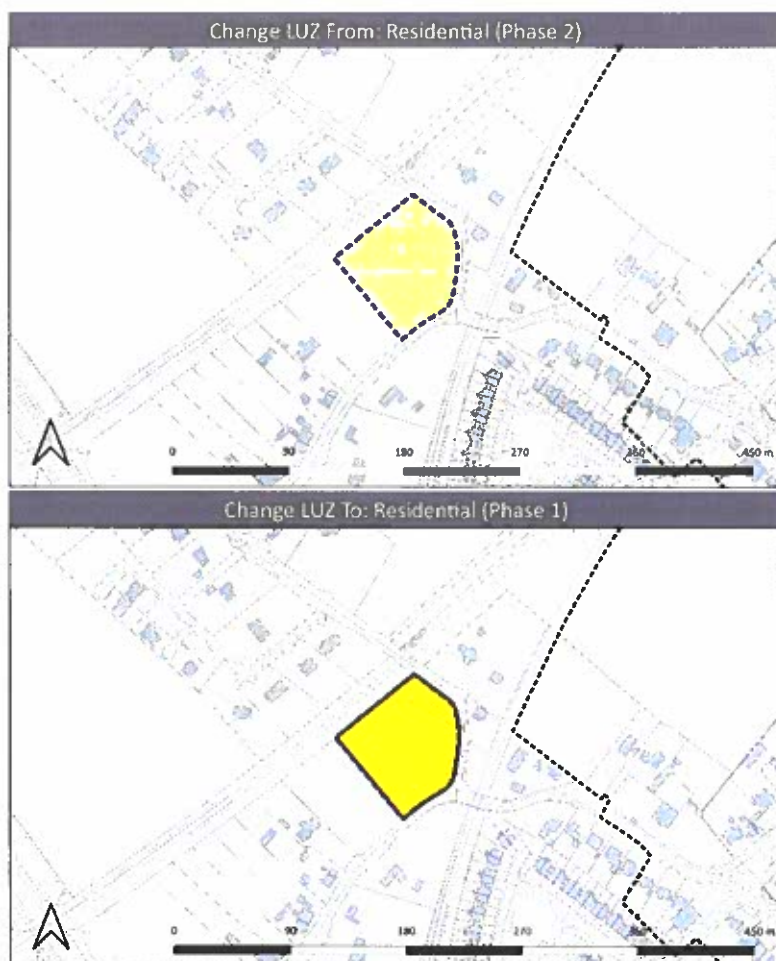
In recent years Uisce Éireann has completed a €5 million upgrade to the Athenry Wastewater Treatment Plant to increase capacity and improve water quality in the Clarin River in partnership with Galway County Council. The work has resulted in a plant that will provide improved wastewater discharge standards, ensuring compliance with the requirements of the Urban Wastewater Treatment Directive and thereby protecting the Clarin River.

Delete the text as follows in Section 2.10 Water Supply and Wastewater Treatment;

~~Ultimately these works have resulted in the plant operating beyond capacity.~~

The Chief Executive Recommendation was proposed by Cllr. Herterich Quinn, seconded by Cllr. Carroll and agreed by the Members.

MA39 Revert the zoning to Residential Phase 2 as per Draft Athenry LAP 2023-2029.

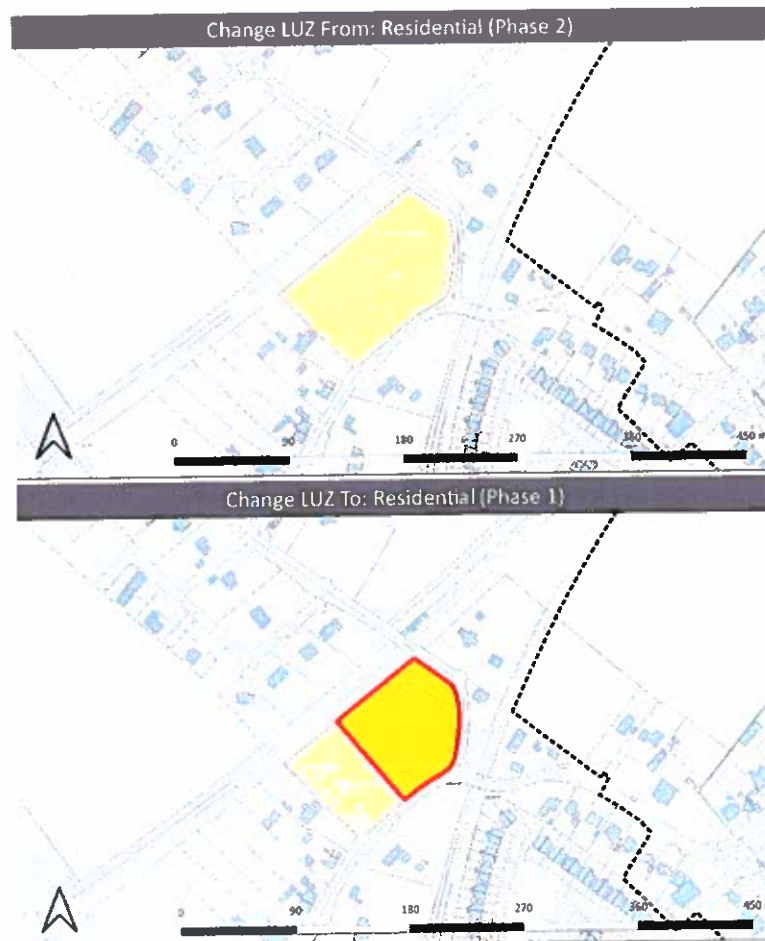


Mr. Dunne advised the Members that the sequence of the maps above was incorrect that should be R1 & R2. This was noted by the Members.

Cllr. Dolan advised that he had a motion in on MA39.

I, Cllr. Dolan propose the following Motion:

I propose that we reject the Chief Executive's proposal and retain Material Alteration 39

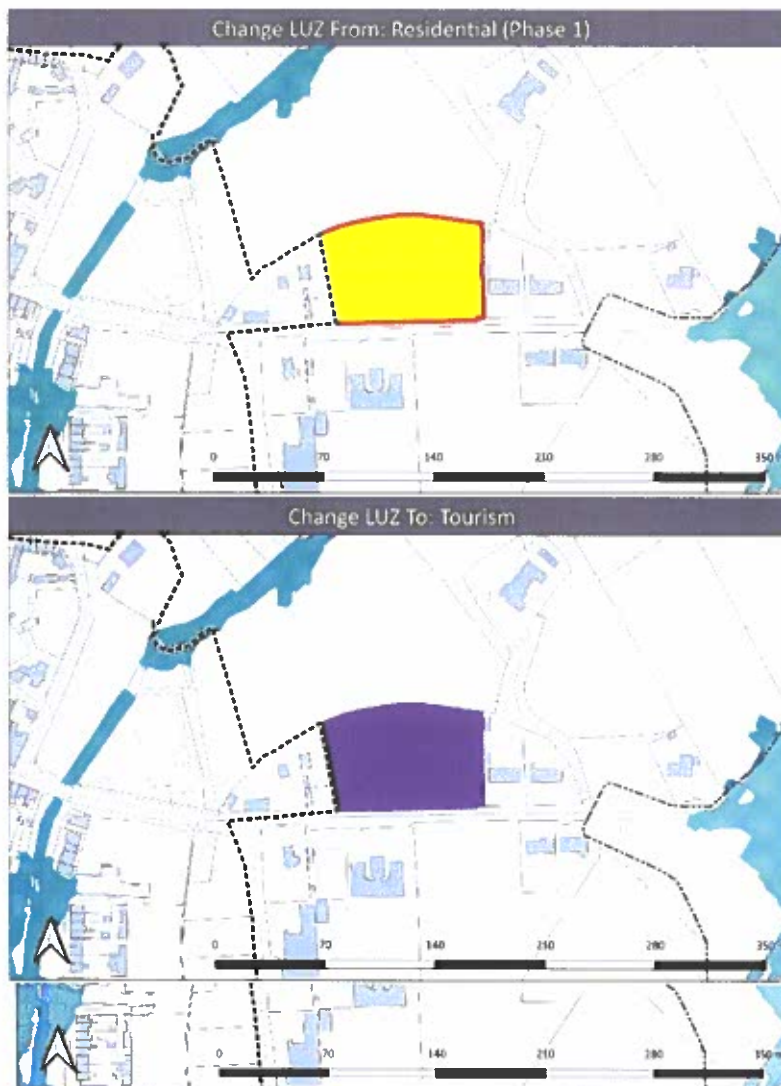


Reasons:

- The main reason they purchased this site was to keep their workers in the Athenry area.
- Raheen Woods Development Ltd is finishing a site at the Willows this year hoping to complete 28 units by December 24.
- They were hoping to go for planning as soon as the Development Plan was in place.
- When they bought the site, they were hoping to move other R1 land over from MA38 so as to avoid disrupting the core strategy of the plan.
- As there is big demand for 2, 3 and 4 bedroom units in Athenry this site is ideally situated within walking distance of the centre of the town and medical facilities with footpath access over the bridge into the town centre.
- With a big amount of jobs coming to Athenry in the next few years this site is ideally located to cater to the growing housing needs in the area.
- The landholder of MA38 believes this site is better suited to tourism as it is near the historic Athenry Castle and would be better serviced as Tourism zoned land.

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Cronnelly and agreed by the Members.

MA38 Revert
to Residential
per Draft
LAP 2023 –



the zoning
Phase 1 as
Athenry
2029.

Cllr. Dolan advised that he had a motion in on MA38.

I, Cllr. Dolan propose the following Motion:

I propose that we reject the Chief Executive's proposal and retain Material Alteration 38

Reasons:

- *The main reason they purchased this site was to keep their workers in the Athenry area.*
- *Raheen Woods Development Ltd is finishing a site at the Willows this year hoping to complete 28 units by December 24.*
- *They were hoping to go for planning as soon as the Development Plan was in place.*
- *When they bought the site, they were hoping to move other R1 land over from MA38 so as to avoid disrupting the core strategy of the plan.*
- *As there is big demand for 2, 3 and 4 bedroom units in Athenry this site is ideally situated within walking distance of the centre of the town and medical facilities with footpath access over the bridge into the town centre.*
- *With a big amount of jobs coming to Athenry in the next few years this site is ideally located to cater to the growing housing needs in the area.*
- *The landholder of MA38 believes this site is better suited to tourism as it is near the historic Athenry Castle and would be better serviced as Tourism zoned land.*

The Motion was proposed by Cllr. Dolan, seconded by Cllr. Cronnelly and agreed by the Members.

MA42 Revert the zoning to Residential Existing as per Draft Athenry LAP 2023 – 2029.



Cllr. Herterich Quinn advised that she had submitted a motion in relation to MA42.

I, Cllr. Herterich Quinn propose the following Motion:

I wish to propose that Material Alteration 42 is retained Residential Phase 1.



Reasons:

- Lands have been the subject of a previous grant of permission for housing (59 units);
- Lands are located in close proximity to the recently granted planning permission for the Dexcom development;
- Lands are located in proximity to Athenry Train Station and a number of community facilities;
- Sequentially these lands are located adjacent to an existing residential development;
- The Core Strategy of the GCDP 2022-2028 has identified a target population growth for Athenry of up to 1,350 people across the lifetime of the plan, aiming for a total population of 5,795. The Census 2022 results show that the population of Athenry is already 5,765.
- Housing projections are based off obsolete statistics.
- The lands are the subject of live appeal with An Bord Pleanála for 72 no. residential units.

- The lands are serviced by the public sewer and the public water supply.
- Based on the matters set out above, I respectfully request that the entirety of these lands are zoned R-Residential (Phase 1) in the forthcoming Athenry LAP 2023-2029.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Dolan and agreed by the Members.

Ms. Loughnane advised the Members that an additional 80% rezoning had taken place since the commencement of meeting on the Athenry LAP and they were now significantly over-zoned.

GLW – C72- 9 – DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND HERITAGE

Mr. Dunne went through submission received from Department of Housing, Local Government and Heritage and read CE Response and Recommendation.

The Department recommends some suggested changes to the wording of objectives (for accuracy):

Nature Conservation

(MA6) - ASP 61 European Sites

Protect European sites including Special Protection Areas (SPA) and Special Areas of Conservation (SAC) that form part of the Natura 2000 network.

A further request is submitted on ASP 61 point 1;

1. The plan or project will not give rise to adverse direct, indirect or secondary impacts on the integrity of any European Sites (either individually or in combination with other plans or projects)

Chief Executive's Response

Submission Noted. See amended Policy Objectives ASP 61 European Sites

Protect European sites including Special Protection Areas (SPA) and Special Areas of Conservation (SAC) that form part of the Natura 2000 network. ~~Protect European sites that form part of the European Sites network including Special Protection Areas (SPA) and Special Areas of Conservation (SAC) that form part of the Natura 2000 network;~~

The request to further amend the wording of Policy Objective ASP 61 is noted however due to the statutory provisions of the LAP, only minor modification can take place at this stage. It should be noted that this wording was not subject to a Material Alteration, therefore cannot be amended at this stage.

Chief Executive's Recommendation

Amend the text as follows in Policy Objective ASP 61 European Sites

Protect European sites including Special Protection Areas (SPA) and Special Areas of Conservation (SAC) that form part of the Natura 2000 network. ~~Protect European sites that form part of the European Sites network including Special Protection Areas (SPA) and Special Areas of Conservation (SAC) that form part of the Natura 2000 network.~~

The Chief Executive Recommendation was proposed by Cllr. Carroll, seconded by Cllr. Herterich Quinn and agreed by the Members.

GLW – C72- 2 – DEPARTMENT OF EDUCATION

Mr. Dunne went through submission received from Department of Education and read CE Response and Recommendation.

The submission refers to the population growth identified for Athenry in the GCDP 2022 – 2028 and the Draft Athenry LAP. It is noted there are no amendments to the population projection as outlined in the Draft Athenry LAP and therefore re-confirms the projected school requirements as per their submission made on the Draft Athenry LAP on the 3rd July 2023.

The Department welcomes the amendments to Table 1.7.1 Land Use Matrix. The Department notes and welcomes the amendment to the land use matrix table- Education –Primary/Secondary from Not Normally Permitted (N) to Open for Consideration (O) to facilitate the potential future expansion of educational facilities in Athenry. The Department acknowledges the crucial importance of the ongoing work of the Council in ensuring sufficient and appropriate land is zoned for educational needs. The Department wishes to thank Galway County Council for the consideration given to the Department's submission to the draft Development Plan.

Chief Executive's Response

Submission Noted.

Chief Executive's Recommendation

No Change.

This was noted and agreed by the Members.

GLW – C72- 8 – OFFICE OF PUBLIC WORKS (OPW)

Mr. Dunne went through submission received from the Office of Public works and read CE Response and Recommendation.

The OPW as lead agency for flood risk management in Ireland welcomes the opportunity to comment on the proposed Material Alterations of the Draft Athenry LAP. A number of specific comments are made as follows and it is outlined that opportunities exist for the Draft Plan before it is finalised.

Flood Zone Mapping

It is outlined that the OPW have issued to Galway County Council the National CFRAM extents for Athenry to Galway Bay, however it does not appear that these extents have been used to update the flood risk and flood zone mapping.

It is stated that the extent of the proposed MA 13 does not correspond with to the issued extents.

In relation to MA33 the proposed rezoning of Open Space/Recreation & Amenity lands to Industrial also requires a review.

It is recommended that a review of the extents around Furzypark area to ensure that inappropriate development is not being proposed in flood risk areas.

In relation to MA57 it is referenced that there is an area zoned as Industrial which is shown to be located in flood zone A/B on the updated flood zone map. It is stated that this area is not shown at being at risk in the National CFRAM present day extents nor is at risk in the flood risk indicator maps contained in the SFRA. It requested that the Planning Authority confirm the dataset that has been used to establish that this area is within the flood zone.

MA50, MA51, MA59 and MA60

It is outlined that there are several Material Alterations where lands are to be rezoned from Open Space/Recreation and Amenity or Agriculture to Residential Phase 2. It is stated that there is a slight increase in the National CFRAM future scenario mapping at these sites. It is requested that the Planning Authority would ensure that a precautionary approach to climate change is being taken and that lands that might be at risk of flooding in the future are avoided.

Supplied Justification Tests

Specific reference to the previous comments made at Draft Plan stage in relation to the justification tests. It is stated that the comments raised have not been addressed at Material Alteration Stage.

Consideration of Climate Change

The OPW welcomes the inclusion of future scenario mapping overlaid with the land use map. It is stated that based on previous comments made in relation to the National CFRAM extents for Athenry to Galway Bay, these extents do not appear to have been used in the future scenario mapping.

Nature-based Solutions and SuDS

The comments raised at Draft Plan Stage in relation to the application of SuDS has not been taken into account at Material Alteration Stage.

Chief Executive's Response

Noted.

The SFRA has considered various factors in the delineation of flood zones, including flood risk indicators, including CFRAM national extents and topographical mapping, and the potential source and direction of flood paths from the Clarinbridge River. It is not clear the extent to which, if at all, the CFRAMS flood extent mapping has taken into account the construction of the M6 Motorway and associated works. Flood Zone A and B have been identified at these lands as per available information and the revision to the SFRA that accompanied Proposed Material Alterations on display. The proposed Industrial zoning does not overlap with Flood Zone A or B.

The newly supplied CFRAMS National flood extent mapping (present day and future scenarios) covers areas beyond the core parts of Athenry area for which no CFRAMS flood extent data was previously made available. The CFRAMS flood extent mapping (present day and future scenarios) that was included in the original SFRA that accompanied the Draft Plan on display will be updated to include the newly supplied CFRAMS National flood extent mapping in areas where previously no data was provided.

Various submissions made as part of the consultation on the Draft Plan included photographs of surface water across the subject site. The submissions identified that the subject site lands:

- Have flooded "on at least 3 times occasions in the last 10 years where heavy rainfall has caused the water from the nearby Clarin River to rise between 1 and 2 meters" and that "on the last date on which flooding occurred in 2019, part of the footbridge at Athenry Castle had to be removed to alleviate the flood waters upstream" in the Clarin Crescent estate;
- Are flood prone and that drains are full even during periods of normal rainfall; and
- Have flooded almost every year during periods of persistent heavy rain.

The CFRAMS has mapped present day fluvial flood risk from the Clarin River to the south of the subject site. This dataset does not indicate that the subject site is at risk of flooding.

The CFRAMS has also mapped future (under both mid-range and high-end climate scenarios) fluvial flood risk from the Clarin River to the south of the subject site. These datasets do not indicate that the subject site is at risk of flooding.

The CFRAMS mapping from the OPW indicates that adjacent and nearby lands to the south/south-east are at risk from fluvial flooding. The subject site is at a similar elevation as the south/south-east lands. The lands to the north-east, north, west and south-west of the subject site are at higher elevation than the subject site and are likely to be draining to some degree into the subject site.

Based on the above, it is considered that the subject site is at elevated risk from pluvial flooding and may be at elevated risk from fluvial flooding to a similar degree as the lands to the south/south-east, which are at similar elevation.

A topographical map is provided below showing the Industrial lands at similar elevation as the lands to the south/south-east.

The site visit confirmed the above findings, that the subject site is likely to be at significantly elevated risk of flooding from fluvial sources.

The Flood Zones were amended to take account of the above information, aligned to relevant topographical data.

Furthermore, documentation submitted in support of the Member's Motion for MA57 acknowledges that the risk to the subject site is higher than indicated by the CFRAMS mapping and identifies a flood zone A and a flood zone B – the CFRAMS mapping indicates that this site would be flood zone C.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

The text under this criterion of the Justification Test had been expanded upon in response to the OPW's previous submission. The multiple Plan provisions identified will contribute towards ensuring: the adequate management of flood risk to the development; and that the use or development of the lands will not cause unacceptable adverse impact elsewhere. Nonetheless, it is agreed that more specific detail regarding relevant measures could be provided.

The newly supplied CFRAMS National flood extent mapping (present day and future scenarios) covers areas beyond the core parts of Athenry area for which no CFRAMS flood extent data was previously made available. The CFRAMS flood extent mapping (present day and future scenarios) that was included in the original SFRA that accompanied the Draft Plan on display will be updated to include the newly supplied CFRAMS National flood extent mapping in areas where previously no data was provided.

The need for further guidance on the likely applicability of different SuDS techniques for managing surface water run-off at the two opportunity sites was considered but no amendment was deemed necessary.

Chief Executive's Recommendation

See Chief Executive's Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

To update the SFRA's CFRAMS flood extent mapping (present day and future scenarios) to include the newly supplied CFRAMS National flood extent mapping (present day and future scenarios) in areas where previously no data was provided.

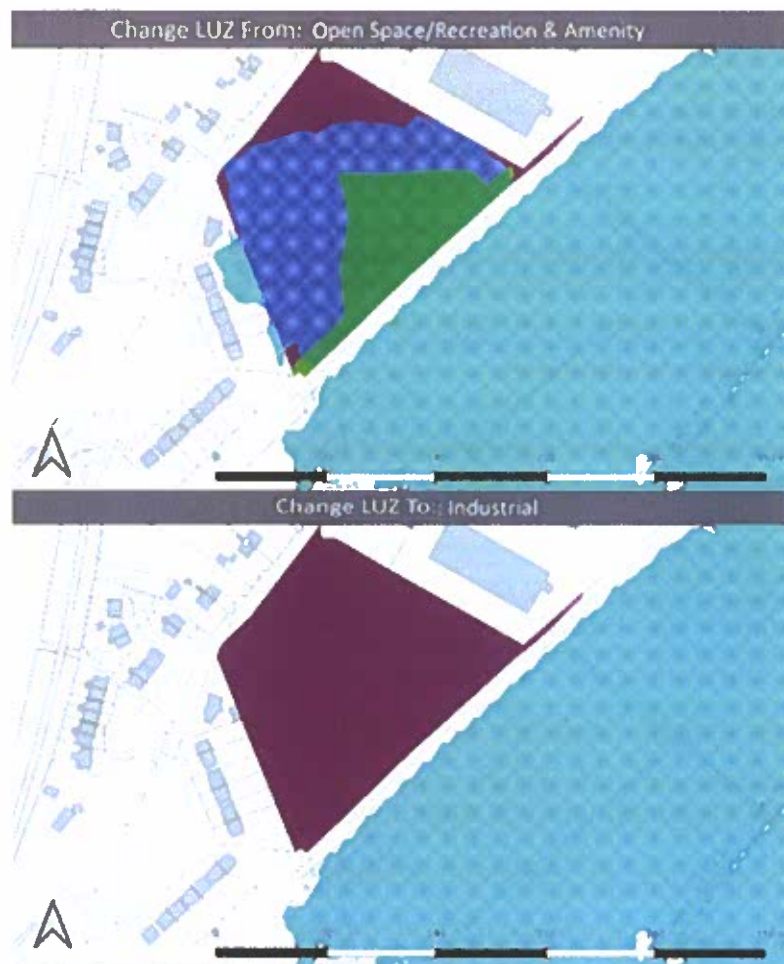
To update the Justification Test to include more specific detail regarding relevant measures under Criterion 3.

The Chief Executive Recommendation on updating of SFRA's CFRAMS flood extent mapping was proposed by Cllr. Carroll, seconded by Cllr. Cuddy and agreed by the Members.

Cllr. Herterich Quinn advised that she had a motion in on MA57.

I, Cllr. Herterich Quinn propose the following Motion:

Concerning MA57, I wish to propose that this site retain its original zoning as per the Draft Athenry Local Area Plan.



New information has come to hand that this site is not in a flood zone, and indeed the OPW's comment:

"In relation to MA57 it is referenced that there is an area zoned as industrial which is shown to be located in flood zone A/B on the updated flood zone map. It is stated that this area is not shown at being at risk in the National CFRAM present day extents nor is at risk in the flood risk indicator maps contained in the SFRA."

The site in question has been monitored closely for the past year concerning flooding and recorded evidence now shows how, despite a number of severe local weather events (photographic evidence attached), this entire site has not flooded.

The photographic evidence refers to:

- 1. Storm Ciaran – Early November 2023*
- 2. Storm Debi – Mid November 2023*
- 3. Storm Fergus – December 2023*
- 4. Storm Gerrit – December 2023*
- 5. Storm – January 2024*
- 6. CFRAM map as referred to by OPW in challenge to the LAP, shows no flooding.*

It is on this basis, that I place this motion.

Cllr. Herterich Quinn stated that it should be noted that this considerable indigenous employer in Athenry has contributed a Development Contribution to the Athenry Relief Road.

Mr. Dunne stated that CE would not be in agreement with this proposed zoning. He stated that everything there on ground was considered and they had carried out a further assessment on these lands and CE would be recommending that they be reverted in their entirety to Industrial.

In response, Cllr. Herterich Quinn disagreed and stated that the land in question was three fields away from the river and the railway line runs adjacent to it. She again advised that this indigenous employment employs many people locally.

In response to Cllr. Cuddy's query on whether the Council Staff were satisfied these lands would not flood, Ms. Loughnane confirmed that she was not satisfied that they would not flood.

As agreement on Motion was not reached, Councillor Charity as Cathaoirleach advised the Members that the matter would now be decided by a roll-call vote on whether Councillor Herterich Quinn's motion would be carried.

A Vote was then taken on Cllr. Herterich Quinn's Motion:

For: Cllr. Cronnelly, Dolan, Collins, Herterich Quinn (4)

Against: Cllr. Charity, Carroll (2)

Abstain: Cllr. Cuddy (1)

The Cathaoirleach declared Cllr. Herterich Quinn's Motion as carried.

GLW – C72- 3 – TII (TRANSPORT INFRASTRUCTURE IRELAND)

Mr. Dunne went through submission received from Transport Infrastructure Ireland and read CE Response and Recommendation.

Transport Infrastructure Ireland (TII) has raised several points in their submission.

MA32, MA33 and MA34

TII notes the additional zoning designations to lands subject to the above material alterations which are all located in the vicinity of M6 Junction 17.

Reference is made to the general comments made at the Draft Plan Stage on the Business and Technology lands in the vicinity of the M6 Junction 17.

It is noted that while the Local Transport Plan includes measures such as proposed cycle trackway and footpath upgrades (Measure WCO1) along the R-348 the subject

lands are in close proximity to the M6 Junction 17 and as a result it is stated that it is likely that private car trips may remain a dominant and attractive mode options.

It is noted that the initial Draft Plan zonings that there was an established zoning in relation to employment lands, it is reiterated again that TII are not aware of any evidence base established to demonstrate compliance with the requirements of Section 2.7 of the Guidelines.

Reference is made to a recent planning application (23/61035) that was granted on the Business and Technology lands and the level of car parking indicated.

It is considered that based on the above that the issues raised by TII at the Draft Plan stage and comments made on the planning application referenced above is still relevant.

There is concern expressed that the mapping detail associated with Proposed Material Amendments MA32, MA33 and MA34 is insufficient in detail to establish that the proposed new zonings do not encroach onto the lands acquired and reserved for the M6 Motorway Junction 17 and associated infrastructure. Clarification is sought in relation to this point.

MA69

This Material Amendment relates to the Local Transport Plan. TII welcomes that section 2.2 of the Draft Local Transport Plan has been updated to reflect that works to national roads in urban areas are required to adhere to TII Publications.

The additional reference to both TII publications DN -GEO 03084" The Treatment of Transition Zones to Towns and Villages on National Roads" and TII publication DN-GEO 03030(Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes) is welcomed in the updated LTP.

The updates in relation to Section 4.2 are welcomed.

Other Matters

Consultation with the Councils own internal project and/or design staff in relation to greenway and active travel measures are advised.

Chief Executive's Response

Submission noted.

In relation to MA 32, MA33 and MA 34 the concern in relation to employment lands are noted. As referenced in the Chief Executives Report at Draft Plan Stage the lands identified and zoned Business and Technology and other employment uses in the Draft Athenry LAP 2023 – 2029 are a strategic land bank of employment lands. The lands subject to MA32 are owned by the IDA Ireland. Athenry is identified as a town of "Strategic Potential". Due to the town's location adjacent to the M6 Galway to Dublin

motorway and the railway station where Irish Rail are investing in increasing commuter train service it was considered prudent to identify and zone lands for employment uses.

Noted.

Noted.

Noted

The additional lands subject to these Material Alterations (MA32, MA33 and MA34) are simply reflecting the land bank owned by the IDA(MA32) and the other landowners (MA33 and MA 34). There is no proposal to encroach onto the M6 Road or associated Junctions. Reference to the recent grant of planning application on one section of the lands (Lands adjacent to MA32) for employment use is noted however it is considered that the additional measures identified in the LTP addresses the issues raised.

Noted.

Noted.

Noted.

Noted.

Chief Executive's Recommendation

No Change

Noted and agreed by the Members.

GLW – C72- 19 – NATIONAL TRANSPORT AUTHORITY (NTA)

Mr. Dunne went through submission received from National Transport Authority and read CE Response and Recommendation.

A comprehensive submission has been received with several observations and recommendations.

1. Material Alterations 32, 33 & 34

It is noted that intensification of employment use at these sites in absence of transport infrastructure will increase private car trip reliance and that sufficient quantum of employment land is already zoned in Athenry according to the Core Strategy of the Development Plan. Therefore, it is requested not to retain these material alterations in the Final LAP.

2. Material Alterations 40, 41, 42 & 43

The submission outlines that these material alterations are premature pending the delivery of appropriate active travel infrastructure which their delivery is challenging in

the short to medium term and will increase private car trip reliance. It is noted these lands should not be zoned Residential Phase 1 during the lifetime of the LAP. Therefore, it is requested not to retain these material alterations.

3. Material Alterations 46 and 49

It is noted the two material alterations outside the settlement boundary are peripherally located and lack of appropriate transport infrastructure. Whilst the LTP proposes measures to serve the lands, the NTA considers they can't be implemented in the short or medium term and support the proposed scale of residential development; Therefore, it is requested not to retain these material alterations in the Final LAP.

4. Material Alteration 47

The submission outlines the intensification of residential development at Baunmore, significantly removed from the town centre, not aligned with compact growth, sequential approach and not supporting proper planning and sustainable development is not appropriate during the lifetime of the LAP although the LTP proposes additional measures. Therefore, it is recommended not to retain MA47 in the Final LAP.

5. Material Alteration's 55, 56, 58 & 64

It is noted there is considerable quantum of additional land zoned Industrial on the western boundary of the town whilst there are existing undeveloped lands for such purposes. Therefore, it is requested not appropriate to retain these material alterations in the Final LAP.

6. Material Alteration 69

The submission outlines in relation to material alterations with zoning changes that the purpose of the LTP is not to introduce measures that can accommodate non-sequential development, non-supporting compact growth and notes what the purposes of the LTP are. The NTA requests to not retain the extended measures set out in the LTP under MA69.

Chief Executive's Response

Submission noted.

MA 32, 33 and 34 relate to small parcels of lands where it was proposed to reconfigure the said lands which reflects the land ownership. This is acknowledged by Planning Authority and is considered acceptable.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

See Chief Executives Response to GLW-C72-24 in relation to the Uisce Éireann Submission on MA42.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executive's Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

See Chief Executive's Recommendation to GLW-C72-25 in relation to Recommendation 2 of the OPR Submission.

See Chief Executives Recommendation to GLW-C72-24 in relation to the Uisce Éireann Submission.

Covered under previous Recommendation and noted by the Members.

GLW – C72- 1 – THE ENVIRONMENTAL PROTECTION AGENCY (EPA)

Mr. Dunne went through submission received from the Environmental Protection Agency and read CE Response and Recommendation.

The Environmental Protection Agency (EPA) has raised several points in their submission.

Proposed SEA Determination

The EPA notes the proposed determination regarding the need for SEA of the Material Alterations (MA).

The submission observes their 'SEA of Local Authority Land Use Plans – EPA Recommendations and Resources' guidance sets out key recommendations for integrating environmental consideration into Local Authority land-use plans. The guidance should be considered as appropriate and relevant to the Material Alterations.

Sustainable Development

The EPA notes the Material Alterations should be consistent with proper planning and sustainable development. Adequate and appropriate critical service infrastructure should be put in place or required to be put in place, to service any development proposed and authorised during the lifetime of the LAP.

It is also noted the MA needs to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.

The submission further notes that the Draft Athenry LAP should be consistent with key relevant higher-level plans and programmes.

Specific Comments to be considered.

The EPA outlines key aspects below to be taken into account in preparing Material Alterations.

Clear justification should be given when proceeding with Material Alterations having likely significant environmental effects or which conflict with national environmental or planning policy.

The Draft Athenry LAP should also consider and integrate recommendation of the SEA prior to its adoption.

Future Modifications to the Draft Plan

The submission notes further changes to the Draft Athenry LAP should be screened for likely significant effect in accordance with SEA Regulations and should be assessed as the “environmental assessment” of the Draft Athenry LAP.

SEA Statement – “Information on the Decision”

The EPA suggests once the Final LAP is adopted to prepare an SEA Statement that summarises the following:

- How environmental considerations have been integrated into the LAP;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the LAP;
- The reasons for choosing the LAP adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the LAP.

The submission notes a copy of the SEA Statement should be sent to any environmental authority consulted during the SEA process and suggests their guidance on preparing SEA Statements.

Environmental Authorities

The EPA observes under the SEA Regulations, the following authorities should be consulted:

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage;
- Minister for Environment, Climate and Communications; and
- Minister for Agriculture, Food and the Marine.

- Any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or LAP.

Chief Executive's Response

The Council welcomes the submission received from the EPA. The SEA process will consider these issues and ensure all requirements are met until and following the adoption of the Plan.

Noted.

Noted.

Noted.

Noted.

Noted.

Noted.

Noted.

Noted.

Noted.

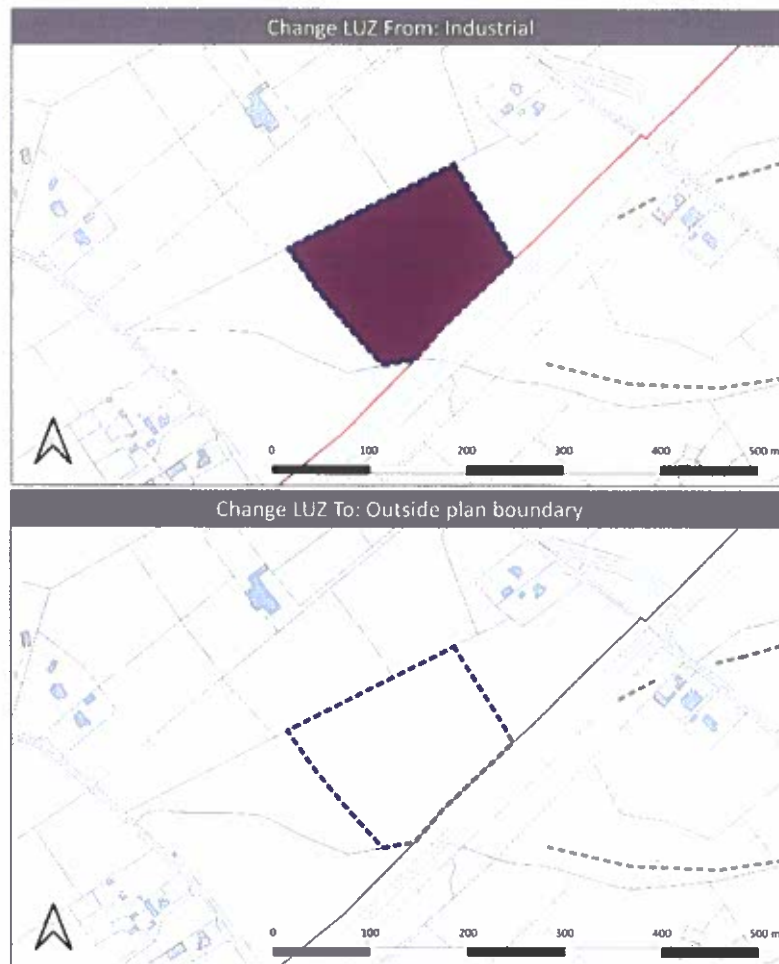
Chief Executive's Recommendation

No Change.

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

IT WAS AGREED BY THE MEMBERS TO GO BACK TO MA64 ON PAGE 31

- i. **MA64:** Revert to the provisions of the Draft Athenry LAP where this land was not zoned.

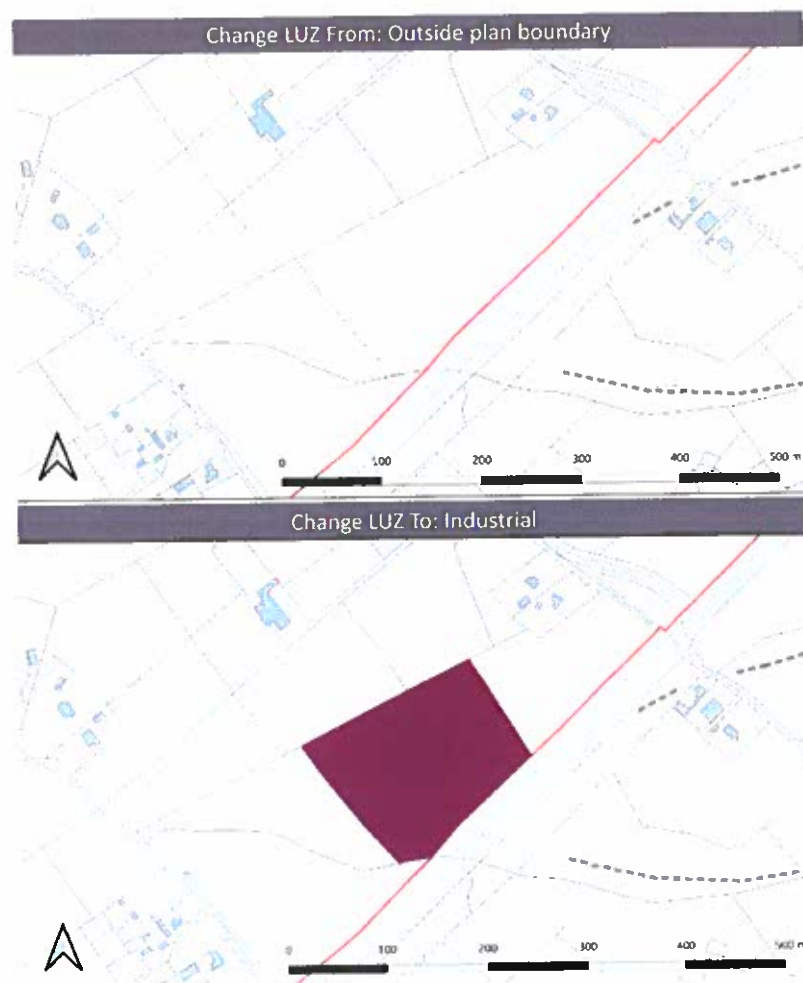


Ms. Loughnane advised that there was a current planning permission on this site which remains in place for 5 years from when planning was granted regardless of zoning of the site.

Cllr. Herterich Quinn advised that she had submitted a motion on MA64.

I, Cllr. Herterich Quinn propose the following Motion:

I propose that MA64 remain and that the land marked in the attached map be zoned *Industrial* as requested.



Reasons:

- This land is connected to the recently granted planning application for Production Equipment UC;
- This land has access to the Athenry Northern Distributor Road;
- There are plans for a sewer connection to this location;
- Strategic Infrastructure Links;
- Vehicular Access to M17/18;
- Availability to sewerage and water infrastructure;
- Pedestrian connectivity with public lighting between the subject site and settlement;
- Lands are located within close proximity to the proposed Dexcom development on the IDA lands;

- Located within walking distance from Commercial, Employment and Community Facility zones;

- The subject lands have the potential to integrate the remnants of the Esker Riada as part of the future layout design, and;

- No flooding or environmental designations.

On this basis, I make this motion.

The Motion was proposed by Cllr. Herterich Quinn, seconded by Cllr. Dolan and agreed by the Members.

GENERAL SUBMISSIONS

GLW – C72-12 – MKO (ON BEHALF OF BELLERIN 3A LTD.)

Mr. Dunne went through submission received from MKO (on behalf of Bellerin 3A Ltd.) and read CE Response and Recommendation.

The submission refers to the following Material Alterations:

- MA40,
- MA41, and;
- MA42.

The submission welcomes the Material Alterations and requests there maintained in the adopted Athenry LAP 2023 – 2029. Several points have been outlined to support the Material Alterations as follows:

- Proximity to Athenry Train Station and community facilities;
- Sequential location of lands from the Town Centre;
- Publication of Census 2022 data indicated predicted growth has been surpassed and requirement to accommodate the rapidly growing population, and;
- Reference to Draft Athenry LTP and connectivity, enhanced existing active travel routes, including upgrades of R348.

Chief Executive's Response

Noted. In relation to MA40 and MA41 see Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Regarding MA42 see Chief Executives Response to GLW-C72-24 in relation to Uisce Éireann Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

See Chief Executives Recommendation to GLW-C72-24 in relation to the Uisce Éireann Submission.

Covered under previous Recommendation and noted by the Members.

GLW – C72- 20 – A MARTEN (ON BEHALF OF COFFEY GROUP)

Mr. Dunne went through submission received from A. Marten (on behalf of Coffey Group) and read CE Response and Recommendation.

A comprehensive submission was received in relation to lands at Parklands, Caheroyne, Athenry. The submission references their previous submission (GLW-C60-114) on the Draft Plan.

The submission refers to the Material Alterations MA1, MA66 and M67 and the following is requested:

1. MA1 and MA66 should be removed from the Urban Framework Plan area. These lands have been identified as parcels 'A' and 'B'. It is requested that these land parcels should be rezoned to Residential Phase 1.
It further states that in the event the Planning Authority considers it necessary to retain the parcels within the Urban Framework Plan parcel 'B' would be retained as Residential Phase 2 and Parcel 'A' would be removed from the Urban Framework Plan Boundary and zoned Residential Phase 1.
2. It is requested that MA67 which includes the Infrastructure Assessment for proposed residential lands be revised to include an assessment of the specific infrastructure and services available to service the lands at Caheroyne. It is requested that this would be prepared separately from the remainder of the large undeveloped landholding referred to as "R2e" and would be included separately in Appendix E.
3. It is requested that land parcels "A" and "B" would be rezoned from Residential Phase 2 to Residential Phase 1.

The submission provided a rationale as outlined below:

- It is stated that the lands can be suitably accessed, and developed and include necessary services and connections to public infrastructure within the lifetime of the LAP;
- The development of the lands would be in accordance with compact growth, a sequential approach (better located than other lands zoned Residential Phase 1) and the proposed Urban Framework Plan under MA1 and MA66 (referring to Appendix 1);

- In relation to MA67, the submission states the lands are suitable for residential development and undertook an Infrastructure Assessment (based on submitters assessment) which responds to the criteria (Compact growth, Infrastructure and Services and Physical Suitability) of the lands to be considered as 'Tier 1: Serviced Zoned Land' as defined by the National Planning Framework;
- Reference is made to the site context with the landholding, the location and a pedestrian linkage to the R347 (Tuam Road) part of a live planning application;
- The planning history is noted with a live planning application of 92 residential units on appeal to An Bord Pleanála being part of the Parklands estate built as a phase 1 and responding to the refusals of two previous planning applications for lack of pedestrian facilities on the R347 railway overbridge and the lack of an Action Area Plan;
- High-level policy context with the Strategic Potential status of the town along with the recently granted Dexcom planning permission and the need to provide housing was outlined;
- The submission noted that the motivations of the previous submission (no. GLW-C60-114) are still relevant, and;
- Reference is also made to the OPR's previous submission (no. GLW-C60-101).

Chief Executive's Response

In preparing the Draft Athenry LAP 2023 – 2029 lands were identified based on a number of parameters. It was considered appropriate to identify lands for residential development in the Plan Area for short to medium development potential and in accordance with the Core Strategy Allocation of the GCDP 2022 - 2028. Based on the quantum of lands at this location it was considered warranted under *Policy Objective ASP 6 Urban Framework Plan in Residential Phase 2 lands (Caheroyn)* to prepare this Plan. In order to achieve the full potential of these lands it is deemed critical to further examine the complete land holding identified in Appendix C of the Material Alteration Documents to deliver a more comprehensive and cohesive analysis of this area. The wording of the policy objective has been amended to ensure the Urban Framework Plan is prepared within 18 months of the adoption of the LAP.

Chief Executive's Recommendation

No Change.

Noted and Agreed by the Members.

GLW – C72- 21 – ENVIROPLAN CONSULTING LTD (ON BEHALF OF LAUREM CONSTRUCTION LTD.)

Mr. Dunne went through submission received from Enviroplan Consulting Ltd. and read CE Response and Recommendation.

The submission refers to MA47. The submission requests to retain the Material Alteration in the adopted Athenry LAP 2023 – 2029 and has raised several points as outlined below:

- Planning history of the area and granted permissions, a live planning application on appeal to An Bord Pleanála and the necessity for the lands to be zoned Residential Phase 1 as per the current Athenry LAP – 2012 – 2022;
- Subject lands spatially and sequentially closer than other lands zoned Residential Phase 1 to the town centre, closer to the Dexcom granted planning application and reduction of car-based journeys and footpaths proposals of the planning application in line with the Draft LAP and Draft LTP;
- Reference is made to MA67 and the Infrastructure Assessment for Residential Lands, and;
- It is requested that the subject lands also be considered in Development Plans – Guidelines for Planning Authorities, Section 4.4.3 “Ensuring Sufficient Provision of Housing Lands/Sites” and the flexibility allowed for additional residential zoned land regarding the “Strategic Potential” status of Athenry.

Chief Executive’s Response

See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive’s Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Covered under previous Recommendation and noted by the Members.

IT WAS AGREED TO DEAL WITH GLW-C72-22 & GLW-C72-23 TOGETHER

GLW – C72- 22 – GREALISH GLYNN & ASSOCIATES (ON BEHALF OF SHARON LALLY)

Mr. Dunne went through submission received from Grealish Glynn & Associates (on behalf of Sharon Lally) and read CE Response and Recommendation.

Reference is made to the previous submission (no. GLW-C60-71) and MA46. The submission reiterates its support to zone the lands from Outside the Settlement Boundary to Residential Phase 1 and has raised several points as follows:

- The Draft Plan Chief Executive Report has failed to fully appreciate the close proximity to a sewer and water connection and that minimal intervention is required in terms of footpath connectivity. The Draft LTP proposes to connect the lands to the Town Centre, and this has not been acknowledged in the Chief Executive Report. It is stated that the extension of the footpath/cycleway will abut

development lands and the boundary of same can be pushed back to accommodate the footpath if required;

- It is stated that the lands are close to the Town Centre, Athenry Railway Station, and the Primary School;
- It is stated that there is a shortage of housing in the area and the need to provide good quality housing within the town, especially with the development of Dexcom, and;
- The site has access to a new sewer line with natural gravity feed.

Chief Executive's Response

See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

GLW – C72- 23 – NOEL & SHARON LALLY

Mr. Dunne went through submission received from Noel & Sharon Lally and read CE Response and Recommendation.

This submission supports MA46, the amended Draft LTP and has raised several points as outlined below:

- Athenry is facing a significant housing demand with few availabilities;
- The lands are within the settlement boundary of the current Athenry LAP 2012-2022, 750m from the town centre, 800m from Athenry train station and the zoning of lands follows a sequential approach and compact development, and;
- Reference has been made to the NTA submission (no. GLW-C72-19) received on Material Alterations. It is stated that the landowners are fully supportive of the development of WC19 and WC20 identified in the Draft LTP.

Chief Executive's Response

See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Covered under previous Recommendation and noted by the Members.

IT WAS AGREED TO DEAL WITH GLW-C72-26 & GLW-C72-27 TOGETHER

GLW – C72- 26 – MKO (ON BEHALF OF HIGHGATE LTD)

Mr. Dunne went through submission received from MKO (on behalf of Highgate Ltd.) and read CE Response and Recommendation.

The submission relates to MA3. The submission refers to a previous submission made on the Draft Plan (GLW-C60-77) and welcomes the Material Alteration. It is noted that the landowner is ready to work closely with the Planning Authority to develop the lands which are well connected to the town centre to deliver high-quality housing with the principles of sequential approach, placemaking which would be embedded properly within existing residential areas.

Chief Executive's Response

Noted. As part of the submissions received on the Draft Plan it was considered appropriate to zone the lands Residential Phase 1.

Chief Executive's Recommendation

No Change.

GLW – C72- 26 – MKO (ON BEHALF OF KEIRA HANNEY, EANNA HANNEY AND MARIA POWELL)

Mr. Dunne went through submission received from MKO (on behalf of Keira Hanney, Eanna Hanney and Maria Powell) and read CE Response and Recommendation.

The submission relates to MA3. The submission refers to a previous submission made on the Draft Plan (GLW-C60-77) and welcomes the Material Alteration. It is noted that the landowner is ready to work closely with the Planning Authority to develop the lands which are well connected to the town centre to deliver high-quality housing with the principles of sequential approach, placemaking which would be embedded properly within existing residential areas.

Chief Executive's Response

Noted. As part of the submissions received on the Draft Plan it was considered appropriate to zone the lands Residential Phase 1.

Chief Executive's Recommendation

No Change.

Covered under previous Recommendation and noted by the Members.

GLW – C72- 4 – JIM REIDY

Mr. Dunne went through submission received from Jim Reidy and read CE Response and Recommendation. He advised the Members that there was a typo on Page 67 under Chief Executive's Response (3rd Paragraph) – to read***The request to zone to Open Space/Recreation & Amenity is noted however due to the statutory***

provisions of a LAP, only minor modification can take place at this stage of the process.... This was noted by the Members.

The submission relates to MA21 and MA2. The submission refers to the previous submission made on the Draft Plan (GLW-C60-10) and welcomes parts of the observations made are included in the material alterations.

It is requested for the reasons outlined in submission no. GLW-C60-10 that the whole Cullairbaun area is rezoned from Residential Phase 1 to Open Space/Recreation & Amenity.

Concerning the submission made on Draft Plan (GLW-C60-101), the lands in Ballast Pit (MA2) it is requested that only an area required for railroad should be zoned as such and the remainder of lands zoned Open Space/Recreation & Amenity.

Chief Executive's Response

Submission noted. The Chief Executive's Responses and Recommendation to the previous submission (GLW-C60-10) are still relevant.

MA21 reflects the zoning from the Athenry LAP 2012-2022. In the Chief Executives Report it was considered appropriate based on a further analysis and from the submissions received to rezone the lands to Open Space/Recreation and Amenity. The request to zone additional lands is noted however due to the statutory provisions of the LAP, only minor modification can take place at this stage. The zoning of additional lands is not a minor modification.

Noted. The Chief Executive Recommended to rezone the two lands parcels Residential Phase 2 and Transport Infrastructure. However, the Elected Members agreed to rezone one parcel (MA2) to Transport Infrastructure and the other parcel to be remain Residential Phase 1. The request to zone the Residential Phase 1 is noted however due to the statutory provisions of a LAP, only minor modification can take place at this stage of the process. The rezoning of this land parcel is not a minor modification.

Chief Executive's Recommendation

No Change.

No Change. Noted and agreed by the Members.

GLW – C72 - 28 – FERN HILL AND STONEHAVEN RESIDENTS

Ms. Loughnane went through submission received from the Fern Hill & Stonehaven Residents and read CE Response and Recommendation.

The submission relates to an area of lands to the rear of Fern Hill and Stonehaven estates. The submission refers to a previous submission (GLW-C60-78) opposed to the Residential Phase 1 zoning on subject lands and has raised several points as follows:

- It is requested to rezone lands to Residential Phase 2;
- It is requested that the footpath, lighting and traffic calming issues should be resolved first on Monivea Road which cannot support additional traffic and the Relief Road should also be built to redirect the influx of traffic;
- Concern is raised regarding access arrangements through Fern Hill and Stonehaven estates which is not on a public road;
- Health and safety concerns are noted with additional traffic;
- There is limited green space for children to play, which results in children playing on the road network and footpaths. Concern is expressed that the construction traffic will affect the well-being of the children in the estate;

The proposed development will cause nuisance and annoyance to residents.

Chief Executive's Response

Submission noted. The Chief Executive's Responses and Recommendation to the previous submissions (GLW-C60-78) are still relevant. The Chief Executive Recommended to rezone the two lands parcels Residential Phase 2 and Transport Infrastructure. However, the members agreed to rezone one parcel (MA2) to Transport Infrastructure and the other parcel to remain Residential Phase 1. The request to zone the Residential Phase 1 is noted however due to the statutory provisions of a LAP, only minor modification can take place at this stage of the process. The rezoning of this land parcel is not a minor modification.

Chief Executive's Recommendation

No change.

No Change. Noted and agreed by the Members.

IT WAS AGREED TO TAKE GLW-C72-5, GLW-C72-7 & GLW-C72-30 TOGETHER

GLW – C72 - 5 – ANTON TSERNJAVSKI

Mr. Dunne went through submission received from Anton Tsernjavski and read CE Response and Recommendation.

The submission refers to MA5 south of Páirc Na hAbhainn estate and has included several points opposing the inclusion of lands subject to MA5 as follows:

- Preservation of the natural habitat and protection of the fauna;
- The close proximity of the lands to the motorway;

- The development of another estate will put increased pressure on infrastructure and the increased daily traffic that will be generated are of concern.

Chief Executive's Response

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

GLW – C72 - 7 – ANTON TSERNJAVSKI

Mr. Dunne went through submission received from Anton Tsernjavski and read CE Response and Recommendation.

The submission refers to MA5 south of Páirc Na hAbhainn estate. This submission accompanies GLW-C72-5. In addition to the comments made under that submission there is concern regarding flooding.

It is stated that a new residential development will increase the flooding issues at Páirc Na hAbhainn.

Chief Executive's Response

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

GLW – C72 - 30 – LINDA CROWE

Mr. Dunne went through submission received from Linda Crowe and read CE Response and Recommendation.

The submission refers to MA5 south of Páirc Na hAbhainn estate and has included several points opposing the inclusion of lands subject to MA5 as follows:

- Loss of natural light and privacy;
- Flooding of gardens in Páirc Na hAbhainn estate; and
- Increased vehicular traffic endangers the residents and children. There is a query raised in relation to where the entrance of the estate will be.

Chief Executive's Response

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Covered under previous Recommendation and noted by the Members.

GLW – C72 - 6 – SHARON CROWE

Mr. Dunne went through submission received from Sharon Crowe and read CE Response and Recommendation.

The submission relates to an area of land to the rear of Abbey Glen Estate. Reference is made to the submission at Draft Plan stage (GLW-C60-105) and MA21 in Cullairbaun Estate. The submission is opposed to the Residential Phase 1 zoning on subject lands and has raised several points as follows:

- It is requested to rezone lands to Open Space/Recreation and Amenity;
 - The area in question floods regularly after a period of heavy rainfall;
 - Concerns are raised regarding access arrangements through Abbey Glen.
 - The development of subject lands will negatively impact Abbey Glen properties;
 - The site's planning history is outlined;
 - If development proceeds on the lands the level of the area would be raised, it is stated that this would result in the movement of flood water into both gardens and houses in the estate;
 - The area should be designated as a Special Area of Conservation (SAC) to protect and enhance the biodiversity of the area;
 - The proposed development will cause overshadowing, thus reducing the value of existing Abbey Glen properties;
 - Concerns were raised regarding the impact on the existing sewerage system in the estate.
 - Health and safety concerns are noted with additional traffic;
 - Entrance and exit are narrow emerging onto the R347; and
- New Residential development will impact the resident's quality of life.

Chief Executive's Response

Submission Noted. The Chief Executive's Response and Recommendation to submission made on the Draft Plan (GLW-C60-105) is still relevant.

The request to zone these lands is noted however due to the statutory provisions of a LAP, only minor modification can take place at this stage of the process. The rezoning of this land parcel is not a minor modification.

Chief Executive's Recommendation

No Change.

No Change. Noted and agreed by the Members.

GLW – C72 - 11 – PETER SULLIVAN

Mr. Dunne went through submission received from Peter Sullivan and read CE Response and Recommendation.

The submission relates to an area of land to the rear of Abbey Glen Estate. The submission is opposed to the Residential Phase 1 zoning on subject lands and has raised several points as follows:

- The area in question floods regularly after a period of heavy rainfall;
- Queries the Residential Phase 1 zoning based on the Constrained Lands Use zoning (Flood Zone A and B) behind Abbey Glen in the Draft Athenry LAP and suggests that it would be inconsistent to maintain a Residential zoning at this site due to 'similar flooding conditions';
- References the current planning application and site layout; and
- Queries potential access to community and agriculture zoned land through Abbey Glen estate and raised concern regarding the potential increase in vehicular and pedestrian activity.

Chief Executive's Response

Submission Noted. The request to zone these lands is noted however due to the statutory provisions of a LAP, only minor modification can take place at this stage of the process. The rezoning of this land parcel is not a minor modification.

Chief Executive's Recommendation

No Change.

No change. Noted and agreed by the Members.

COMMERCIAL MIXED USE

GLW – C72 - 10 – ENVIROPLAN CONSULTED LTD (ON BEHALF OF RHOC (ATHENRY) LTD.

Mr. Dunne went through submission received from Enviroplan Consulted Ltd (on behalf of RHOC (Athenry) Ltd and read CE Response and Recommendation.

The submission refers to MA53 and the previous submission (GLW-C60-94). The submission requests MA53 to be maintained and to rezone the lands within the

associated landholding as in the Athenry LAP 2012 - 2022 from Open Space/Recreation and Amenity to Commercial/Mixed Use indicated as Site B. Some points are raised as follows:

- Reference to a live planning application which is on appeal to Bord Pléanala for a mixed-use office and residential development.
- Concerns are expressed that without the rezoning the application will be refused, and ;
- It is noted that a Flood Risk Management presentation at the Councils Planning Seminar (November 2022) confirms the Flood Risk Management Guidelines allow for consideration of Commercial Ground Floor Development within Flood Zone B and the Site Specific Flood Risk Assessment as part of the live planning application was accepted by the Planning Authority.

Chief Executive's Response

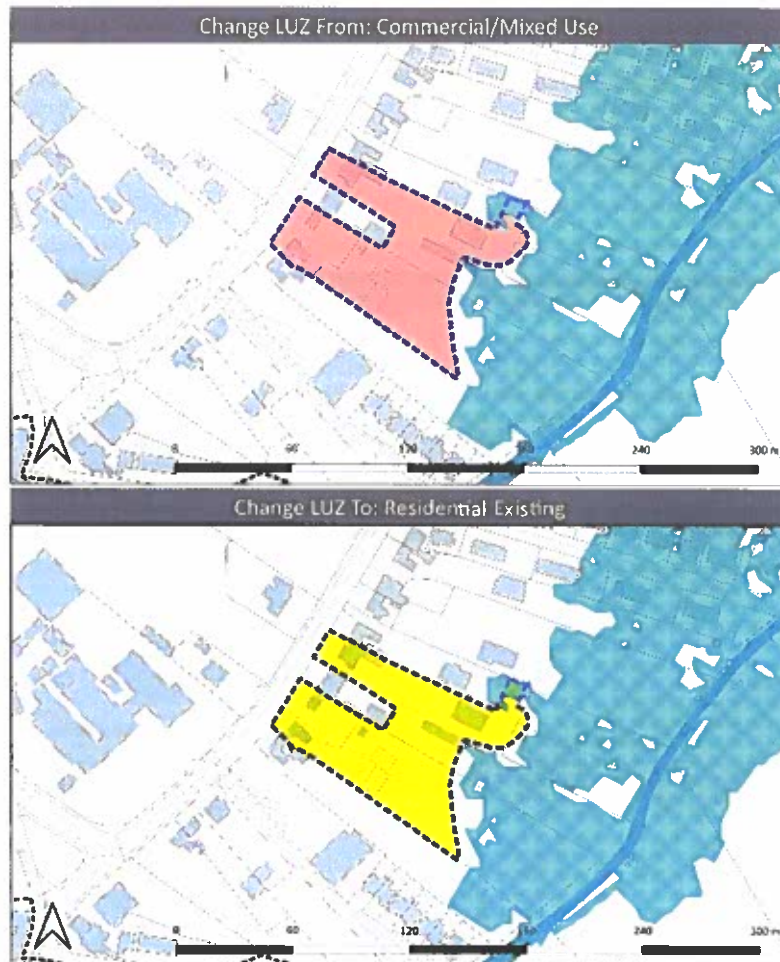
Submission noted. The Chief Executive's Response and Recommendation to the submissions made on the Draft Plan (GLW-C60-94 and GLW-C60-92) are still relevant.

MA53 was rezoned from Existing Residential to Commercial Mixed Use which was contrary to the advice of the Planning Authority. The remaining lands zoned Open Space/Recreation & Amenity were retained as per the Draft Plan which did not result in a Material Alteration.

The request to zone these lands is noted however due to the statutory provisions of a LAP, only minor modification can take place at this stage of the process. The rezoning of this land parcel is not a minor modification.

Chief Executive's Recommendation

MA53 Revert the zoning to Existing Residential as per Draft Athenry LAP 2023-2029.



Cllr. Dolan advised that he had a motion in on MA53.

I, Cllr. Dolan propose the following Motion.

I, propose to change the zoning of sites marked A and B of this submission from residential and open space back to C2 commercial/mixed use as it was on the Athenry LAP 2012-2022.



Reasons:

There is currently a live planning application on this site that was submitted in 2022 and is awaiting a decision from the Board. Not maintaining the C2 zoning as per the 2012 LAP on this site will lead to an automatic refusal from An Bord Pleanála as it will null and void the live application.

A site-specific flood report was carried out on this property for the submission of the current planning application, and it was accepted by the Planners that there was no issue with flooding on this site.

C2 zoning is fully permissible on flood zone B as per the Council's own planning rules.

The OPR and OPW had no objection to the C2 zoning on this site.

Mr. Dunne explained that at this stage of the process only minor modifications can occur and highlighted it on screen to the Members the area of land that could be deliberated on and advised that additional lands cannot be discussed as the legislative process had to be followed. He requested that the motion would be amended to just reflect MA53 Site "A".

Cllr. Dolan stated that while he appreciated the input and advice, as Councillor this was one of the few Reserved Functions Members had and he requested to take a vote on the motion as is. Ms. Loughnane advised him that it was not possible to do so. Mr. Dunne explained there was a comprehensive discussion on this at Draft Plan Stage. The original submission from the Draft Plan was brought up on screen for the Members to show what was agreed at that Draft Plan Meeting on 19/9/2023 and it was voted on by the Members to keep it as per Draft Plan. Mr. Dunne explained this was why Material Alteration MA53 went out on display as "Site A". It was decided by Members to retain "Site B" as Open Space/Recreation & Amenity. He explained that "Site B" was not on public display and no public participation had taken place on it. He stated that the legislative process had to be followed and Members were required to consider the material alterations before them, but it could not include "Site B" which was not on public display and that cannot be changed at this stage.

Mr. Hanrahan reiterated to the Members that "Site B" was never brought forward as a Material Alteration because of the decision that was made by the Members at Draft Plan Stage on 19/09/2023. He explained to Cllr. Dolan that they could only vote today on sites that came under Material Alterations. He suggested that at Mid-Term Review Stage of GCDP and subsequently the LAP, this site could be reconsidered at that stage but could not be discussed at today's meeting.

Cllr. Charity advised Cllr. Dolan that his proposal was Out of Order, and he would only be dealing with the material alterations that were in front of the Members today.

Cllr. Dolan queried what Standing Order he was in breach of.

It was agreed to suspend meeting for 15 minutes to get clarification on same.

The Meeting resumed after 15 minutes.

Cllr. Charity quoted Section 40 of Standing Orders as follows:

"The Chair is the sole judge of order at Meetings of Municipal District Members and has authority to maintain order and enforce prompt obedience to his/her ruling. When during a debate, the Chair rises, any Member then speaking shall give way to the Chair."

Cllr. Charity stated that as a matter of order, he determined the proposal to include "Site B" as out of order.

Cllr. Dolan re-submitted new wording for motion as follows:

I propose to change the zoning of site "Marked A" of this submission from Existing Residential back to C2 Commercial/Mixed use as it was on the Athenry LAP 2012-2022

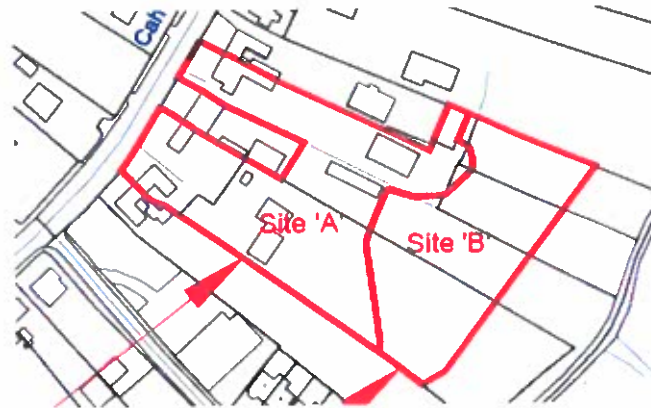
Reasons:

There is currently a live planning application on this site that was submitted in 2022 and is awaiting a decision from the Board. Not maintaining the C2 zoning as per the 2012 LAP on this site will lead to an automatic refusal from An Bord Pleanala as it will null and void the live application.

A site-specific flood report was carried out on this property for the submission of the current planning application, and it was accepted by the Planners that there was no issue with flooding on this site.

The OPR and OPW had no objection to the C2 zoning on this site.

Please see attached document outlining "Site A" with further support



The Motion was proposed by Cllr. Dolan, seconded by Cllr. Herterich Quinn and agreed by the Members.

BUSINESS & TECHNOLOGY

GLW – C72 - 17 – MKO (ON BEHALF OF IDA IRELAND)

Ms. Loughnane went through submission received from MKO (on behalf of IDA Ireland) and read CE Response and Recommendation.

A comprehensive submission was received in relation to MA32. The IDA welcomes the proposed zoning alteration as it will facilitate the beneficial development of the lands.

Reference is made to a recent grant of planning permission for a medical device manufacturing facility.

An outline of the role that IDA Ireland plays in job creation in the country is given.

Specific reference is made to the TII submission (GLW-C72-3) that was received concerning MA32. A comprehensive analysis has been submitted by the IDA in relation to the comments made by the TII.

Reference and outline of car parking requirements for the medical manufacturing facility is given.

Chief Executive's Response

The support for MA32 is noted. The Chief Executive recommended to rezone lands from Open Space/Recreation and Amenity to Business and Technology to reflect the land bank of the IDA.

Noted.

Noted.

See Chief Executives Response to GLW-C72-3.

Noted. It is considered that the updates to the Local Transport Plans that are subject to Material Alteration proposed cycle track ways and upgrade to footpaths which are all welcomed in the promotion of sustainable mobility.

Chief Executive's Recommendation

No Change.

No Change. Noted and agreed by the Members.

INDUSTRIAL

It was agreed to deal with GLW-C72-13, GLW-C72-14, GLW-C72-15 & GLW-C72-16 together.

GLW – C72 - 13 – JOHN MOYLAN

Mr. Dunne went through submission received from John Moylan and read CE Response and Recommendation.

The submission refers to MA57 and requests the lands be retained as Industrial. The submission has raised the following points:

- MJ Quinn is a longstanding employer in Athenry and has had a significant social contribution to the town;
- It is noted since the flooding in 2009, the OPW has done significant work;
- OPW submission (GLW-C72-8) outlined the site does not represent flood risk on the CFRAM, and;
- Several photos of the site have been included after the rainfall of the 1st of November 2023.

Chief Executive's Response

See Chief Executives Response to GLW-C72-8.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-8.

GLW – C72 - 14 – MICHAEL QUINN

Mr. Dunne went through submission received from Michael Quinn and read CE Response and Recommendation.

The submission refers to MA57 and requests the lands to be retained as Industrial. The submission has raised the following points:

- The business has been in family ownership for generations. The business is historically established in the town which supports the local community;
- The retention of the lands zoned "Industrial" is vital to sustaining the internationally growing family business without could lead to the closure of the company and the loss of more than a hundred jobs, and;
- The OPW submission (GLW-C72-8) and the CFRAM map confirm the land parcel is not subject to flooding.

Chief Executive's Response

See Chief Executives Response to GLW-C72-8.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-8.

GLW – C72 - 15 – MICHAEL QUINN

Mr. Dunne went through submission received from Michael Quinn and read CE Response and Recommendation.

The submission refers to MA57 and requests the lands to be retained as Industrial. The submission has raised the following points:

- The business has been in family ownership for generations. The business is historically established in the town which supports the local community, and;
- The OPW submission (no. GLW-C72-8) and the CFRAM map confirms the lands are not subject to flooding.

Chief Executive's Response

See Chief Executives Response to GLW-C72-8.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-8.

GLW – C72 - 16 – MKO (ON BEHALF OF MJ QUINN & SIP ENERGY, ATHENRY)

Mr. Dunne went through submission received from MKO (on behalf of MJ Quinn & SIP Energy, Athenry) and read CE Response and Recommendation.

The submission refers to MA57. The submission requests the land to be zoned Industrial and has raised several points as follows:

- Site context is outlined with the lands owned by the Quinn family adjoining MJ Quinn and SIP Energy Factory;
- Connectivity and access with the site being the closest Industrial land to the town centre as illustrated in the Infrastructural Assessment Proposed Employment Lands;
- The Quinn family owns the lands, their companies MJ Quinn and SIP Energy are historically established in the town;
- It is requested that the lands be retained as Industrial as it is required to extend their facilities and sustain their internationally growing demand without which could lead to the closure of the company and the loss of more than a hundred jobs, and;
- The lands are not located in a flood risk zone as indicated in the CFRAM data.

Chief Executive's Response

See Chief Executives Response to GLW-C72-8.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-8.

Covered under previous Recommendation and noted by the Members.

GENERAL COMMENTS

GLW – C72 - 18 – GARETH ELHINNEY & MARY MCGILL

Mr. Dunne went through submission received from Gareth Elhinney & Mary McGill and read CE Response and Recommendation.

An extensive submission was received concerning Appendix E – Infrastructure Assessment on Proposed Residential Lands (MA67). It is referenced that the

recommendations of the OPR and the Chief Executive have not been included in a significant number of the Material Alterations.

In reference to the land parcel identified as R1n in Appendix E, which illustrates the rezoning from Residential Phase 2 to Residential Phase 1 it is suggested that this should not proceed. Residential Phase 1 and Phase 2 lands from the 2012-2023 LAP remain undeveloped and the rezoning of the lands in Fern Hill/Ballydavid South is leap-frogging these lands which would be contrary to policy objective ASP5.

In reference to the following Material Alterations (MA22, MA50, MA53, MA59, MA60 and MA61) it is suggested that based on the mapping provided a number of land parcels to be zoned predominately residential development are partially within or adjacent to areas prone to flooding. It is suggested that these should not proceed.

In relation to MA 46 (R1q-Residential Phase 1), MA49 (R1u-Residential Phase 1) and MA51 (R2k-Residential Phase 2), it is stated that they are contrary to guidance, policies, and objectives of strategic and local planning.

It is stated that as outlined in Appendix E and the LTP, the green colouring for Compact Growth in the same appendix seems questionable and seems not prudent to have residential zoned lands prior to the completion of the Atherry Relief Road.

Chief Executive's Response

Noted.

Noted. The lands subject to R1n are not subject to Material Alteration.

MA50, MA59 and MA60 see Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission. MA22 was a result of a submission from the Draft Plan. Having regard to the Flood Risk Assessment and further site visit on 11th August 2023 it was considered appropriate to zone these lands Residential Infill to complete Slí An Chlairín estate.

MA53 was rezoned from Existing Residential to Commercial Mixed Use which is contrary to the advice of the Chief Executive. It is considered that the lands should revert to Existing Residential as per the Draft Plan. See Chief Executives Response to GLW-C72-10.

MA61 is zoned Open Space/Recreation and Amenity as it is located in Flood Zone A and B. MA61 is associated with MA59 and MA60 and based on the OPR Recommendation 1 these lands should revert to the Draft Plan.

See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Noted.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

See Chief Executives Recommendation to GLW-C72-10.

Covered under previous Recommendation and noted by the Members.

GLW – C72 - 29 – NOEL & SHARON LALLY

Mr. Dunne went through submission received from Noel & Sharon Lally and read CE Response and Recommendation.

The submission refers to the OPR Submission (GLW-C72-25) on Material Alteration to the Draft Athenry LAP 2023 – 2029. It is noted that the OPR submission references MA46 and states these lands are outside the settlement boundary. The submission states these lands are not outside the settlement boundary and are zoned Residential Phase 2 in the Athenry LAP 2012 – 2022.

Chief Executive's Response

Noted. See Chief Executives Response to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Chief Executive's Recommendation

See Chief Executives Recommendation to GLW-C72-25 in relation to Recommendation 1 of the OPR Submission.

Covered under previous Recommendation and noted by the Members.

Mr. Dunne advised that they had dealt with all submissions received on Material Alterations. He advised that there were other Material Alterations where no submissions were made, and it was up to the Members to bring forward motions on them. It was agreed by the Members that no further motions would be submitted.

AA DETERMINATION

Mr. Dunne brought up AA Determination on screen and read it to the Meeting. It was Noted by Members.

Ms. Loughnane advised it was now time for passing of the resolution to adopt the Plan with the amendments as decided by the Members. She advised that it was required of the Planning Authority to prepare a report for the OPR explaining the Councillors' rationale for any recommendations made by the OPR which were subsequently rejected by the Members. She again advised the Members that following the OPR's receipt of that Report, that it was possible that there may be a Draft Ministerial Direction issued on foot of the OPR's Report to the Minister regarding these rejections.

She then stated that should it be the case that a Draft Ministerial Direction were to be issued, that the Draft Direction must be put on public display for public consultation. She stated that any parts of the Local Area Plan that were not subject to a Ministerial Direction, in the instance that such a direction was to be issued, would come into effect six weeks following the ratification of the resolution to adopt the Local Area Plan today.

Ms. Loughnane then thanked the Members and all in the Forward Planning Team for their diligent work throughout the process.

Ms. Loughnane then read to the Meeting the resolution to adopt the Athenry Local Area Plan 2024-2030.

RESOLUTION FOR MAKING OF ATHENRY LOCAL AREA PLAN 2024-2030

Having considered the Local Area Plan, the Proposed Material Alterations, the CE Reports on submissions received (including that on the proposed material alterations) and the

- The Strategic Environmental Assessment (SEA) Environmental Report for the Draft Plan
- The Appropriate Assessment (AA) Natura Impact Report for the Draft Plan
- The Strategic Flood Risk Assessment (SFRA) for the Draft Plan
- The SEA Screening Determination for the Proposed Material Alterations and subsequent Environmental Report of the Material Alterations
- The AA Screening Determination for the Proposed Material Alterations and subsequent Natura Impact Report of the Material Alterations
- Written submissions relating to SEA, AA and SFRA made during the Plan preparation process
- Ongoing advice on SEA, AA and SFRA from the Council's agents
- The final, consolidated Natura Impact Report
- The final AA Determination

In accordance with the provisions of Section 12(20) of the Planning and Development Act 2000 (as amended), the Athenry Municipal District Members agree, by resolution, to make the Athenry Local Area Plan 2024 – 2030, as recommended by the Chief Executive and as further modified by way of motions and resolutions at the Athenry Municipal District Meeting on 9th January 2024 and to proceed in accordance with Section 20(1)(N) of the Planning and Development Act 2000 (as amended) to publish notice of the making of the Local Area Plan.

The Resolution for making of the Athenry Local Area Plan 2024-2030 was proposed by Cllr. Herterich Quinn, seconded by Cllr. Dolan and agreed by the Members.

Cllr. Charity then invited the Director of Services Mr. Hanrahan to say a few words. Mr. Hanrahan expressed his thanks to the Cathaoirleach and the Elected Members for their work in adopting the new Athenry Local Area Plan, stating that it is a fundamental part of their work for the Municipal District. He expressed his thanks to

the Municipal District Staff and Forward Planning Staff for their work throughout the process.

Cllr. Herterich Quinn thanked all for their work on the Athenry Local Area Plan. She stated that it was her first ever Local Area Plan to work on and stated that she really enjoyed the process. She said that she tried to be respectful and considerate on any advice given but was still confounded by the Settlement Boundary. She stated that it was a very ambitious plan and hoped that the OPR will see why they did what they did. She thanked her colleagues for supporting the motions put forward.

Cllr. Charity wished to echo his own thanks for the work put in by the Forward Planning Staff and the Members.

Cllr. Charity advised that there were three more items of the Municipal District to be discussed and the Forward Planning Team left the Meeting.

**To agree a date for Part 8 for Athenry Town Public Realm Enhancement
Project Phase 1 on North Gate Street, Davis Street, Burke's Lane, Cross Street
and The Square Athenry. AMD 195**

On the proposal of Cllr Carroll, Seconded by Cllr Cuddy it was agreed that the part 8 meeting for Athenry Town Public Realm Enhancement would be held on the 30th January, 2024.

Municipal District Director's Business & Correspondence. AMD 196
There were no items under this heading.

Cathaoirleach's Business. AMD 197

Cllr Cuddy requested an update on the flooding at Claregalway.

Cllr Dolan asked for clarification on the notice of motion he submitted on pay and display at Athenry.

The members requested an update on the Public Realm process.

Cllr Collins said that there were a number of accidents at an area of the motorway near Athenry exit and close to the service station due to water lodged there.

Cllr Dolan requested an update on the Graveyard at Claregalway.

CHRIOCHNAIGH AN CRUINNIU ANSIN

CRIOCHNAIGH AN CRUINNIU ANSIN

Approved by:


CATHAOIRLEACH

Date: 11/3/2024