

COMHAIRLE CHONTAE NA GAILLIMHE

**Ceantar Bardasach Bhaile Locha Riach
Municipal District of LOUGHREA**

**Minutes of Monthly Meeting of the Municipal District of Loughrea held in
Council Chamber, 15th February @ 11am.**

I LATHAIR:

Cathaoirleach

Cllr. M Maher

Baill:

**Cllr's. G. Donohue, PJ Murphy,
J. Byrne, M. Kinane, I. Canning, J. McClearn,
P Hynes, G. Finnerty, S. Curley**

Oifigigh:

**Ms. E. Ruane, Director of Services;
Mr. D. Mitchell, Senior Engineer;
Mr. G. Haugh, Senior Executive Engineer;
Mr. F. McGillycuddy, Area Engineer;
Mr. B. Sheehy, Assistant Engineer;
Mr. A. Cunningham; Staff Officer;
Ms. M. Finn, Administrative Officer
Mr. D. O'Loughlin, Assistant Engineer
Mr. E. Gallagher, Senior Executive Engineer
Ms. M. Doddy, Conservation Officer
Ms. V Loughnane, Senior Planner
Mr. A. O'Connell, Senior Executive Planner**

Ms. Ruane introduced Ms. Maria Finn, Administrative Officer Environment Section, to the members as the new Meetings Administrator for the Loughrea Municipal District.

Cllr Byrne's and Finnerty welcomed Ms. Finn and wished her well in her role.

Sympathies were extended by the members of the Municipal District to Cllr Maher and his extended family on the recent loss of his sister Anita.

Cllr Maher thanked the members for their messages of condolences and sympathies received during a difficult time.

**Confirmation of Minutes of Monthly Meeting of the Municipal District of Loughrea
held on 7th December 2020** **LMD 2101**

The Minutes of the Monthly Meeting for Loughrea MD held on 7th December 2020 were proposed by Cllr Donohoe, seconded by Cllr Finnerty and agreed and signed by the Cathaoirleach.

Cllr Byrne referred to a number of matters he had raised under AOB at the last meeting of the Municipal District in relation to safety concerns on the R446, the discretionary budget agreed for footpaths in the county and the attendance of the Council's tourism officer at a future meeting of the Loughrea MD.

In response to safety concerns on the R446, Ger Haugh stated the issue of road studs or "Cats Eyes" on the R446 has been reviewed. This matter extends across two Municipal Districts and that options are currently being reviewed in relation to sourcing the necessary funding to carry out a retrofitting project. He felt that it would be premature to complete this retrofitting project in advance of the significant permanent reinstatement works that are scheduled to be completed on this section of the R446.

Cllr Byrne welcomed the recent announcement of an allocation of €36.23 million in respect of Regional & Local Road Improvement Fund for 2021 Roads funding noting an increase of funding of €1 million on 2020's allocation.

Cllr McClearn referred to the issue he had raised in respect of staffing concerns in the Portumna area. He said that there was a pressing need for a staff vacancy to be filled before the commencement of the roads programme. Mr. Haugh informed the meeting that recruitment for the current vacancy in Portumna is on-going and is being managed by Galway County Council's HR section.

Cllr McClearn added that the issue he had raised at the last meeting in regard to the sign on the R335 had been rectified and wished to thank Mr. Haugh for his assistance in rectifying this matter.

Cllr Kinane asked that an amendment be made to page two of the minutes of the 7th December 2020. She wished to state that the need for additional staff in the Municipal District following the boundary changes made last year was needed in the area of coastal erosion in particular.

She also referred to her Notice of Motion raised at the meeting of the 7th December in regard to Renville pier and the need to identify a safe location at the pier for public swimming to be permitted. She outlined the need for further discussion surrounding the designated bathing area risk assessment report that had been provided to the members in advance of the meeting. Cllr Kinane welcomed the attendance of the Conservation officer at the meeting.

Flooding Update LMDM 15th February 2021

LMD 2102

Mr. Enda Gallagher updated the meeting as follow: -

South Galway Gort Lowlands FRS – the Feasibility Report for the scheme will be published on Monday 22nd February. The report will contain details on an engineered scheme that has satisfied preliminary cost benefit and environmental requirements. The report will contain a flood risk assessment and maps with route proposals. The findings of the preliminary environmental assessment will also be included. This report has already been viewed by key stakeholders (including elected representatives) in late 2020.

The Options Public Consultation for the scheme will commence on Friday 26th February. The Emerging Preferred Scheme will be put before the public who are being asked to review and comment on the proposals. Following receipt and review of all comments, a Preferred Option will be selected and developed towards the Exhibition stage. Public feedback is essential to this stage of the process and the consultation will be advertised by letter drop, newspaper and radio adverts as well as twitter and facebook.

Dunkellin – due to the current Covid restrictions and poor land conditions, no works are currently progressing on the Dunkellin scheme. The remaining culvert works on the Aggard and the accommodation fencing that is outstanding on the Dunkellin river will be completed over the next 2-3 months. As indicated previously, the scheme is fully operational at present.

Cllr Maher thanked Mr. Gallagher and his team for all the work done and contributions to the Loughrea MD to date.

Approval of the Amended Standing Orders for Loughrea Municipal District LMD 2103

Ms. Ruane introduced an amendment to the Standing Orders for the provision of holding of remote meetings for the Loughrea Municipal District in the context of current public health advice.

Cllr Curley proposed an amendment to section 7 of the standing orders and suggested that provision for the holding of remote meetings should be extended beyond the circumstances as detailed in the standing orders.

Cllr Byrne noted that this amendment to the Standing Orders had been agreed at CPG level and had been put before all the Municipal Districts so would have to be left at present. However, he suggested that Cllr Curley's proposed amendment to the standing orders be recorded.

Cllr McClearn stated that facilitating remote working is in everyone's interests and that it should continue until such a time that mass vaccination of the general population had taken place. He supported Cllr Curley's proposal for an amendment to section 7 of the Standing Orders.

Cllrs Finnerty agreed that flexibility was needed around the holding of meetings but added the need for the correct equipment for councillors in order to ensure the effectiveness of meetings held remotely.

Cllr Kinane agreed with Cllr Curley's proposal and added the importance of minimizing contact where possible and the importance of keeping people safe.

Cllr Curley proposed the amendment to Section 7(a) of the Standing Order and Cllr Kinane seconded same.

Cllr Maher said he took on the Councillors concerns regarding the amendment to the standing orders amendment. He added that today's meeting of the Loughrea MD had to take place in person in order to pass the Standing Order amendment.

Conservation Officer Update

LMD 2104

Mairin Doddy gave an update on Quansboro; quotations received and awaiting Community Monuments Funds announcement

Mairin Doddy distributed details of the proposed buildings to be added to the Record of Protected Structures and discussion followed.

Cllr McClearn expressed his concerns over the historical and protected structures within the County and how as a Local Authority can we ensure that they are preserved as nature is having an impact on them. The Rural Social Schemes Workers cannot do the work unless the conservation officer is involved and we have no funding stream to pay them.

Cllr. Maher stated that the historical sites in the County will not be there for the next generation and we need to find a solution to the problem. Lack of financial resources should not be a stumbling block to engage a person. We need to put a pilot project in place to address this.

Cllr. Canning suggested that Tidy Towns organization could also help.

Decision on proposed buildings to be added to the Record of Protected Structures will be made at the next plenary meeting in March.

Mairin Doddy distributed details to the members of proposed deletions to the records of protected structures (Appendix V of the Galway County Development Plan 2015-2021) within the municipal district.

Cllr PJ Murphy raised concerns over the works needed at two old churchyards in Isserkelly. While he agreed with the necessity for works to be scrutinized in the area of conservation, the level of costs involved were considerable. He felt that exorbitant costs may contribute to the potential for substandard work to be carried out considering the costings and level of expertise required.

Cllrs Donohoe and Finnerty also raised the concerns over the level of funding needed to preserve structures at graveyards throughout the county and asked what the members could do in looking to secure the necessary funding.

Cllr Kinane referred to the progress made in regard to historical stones at Renville and pointed to the importance of this case in striking a balance in satisfying both sides of the debate in the removal of the stones for their use locally while at the same time helping to ensure road safety between Oranmore and Renville.

Cllr Curley enquired about the reasoning for the proposed deletion of structures of historical importance. In response Ms. Doddy said that the deletions before the Councillors to consider related to a structure known locally as 'Mike's Cottage' in Oranmore and Oakley Park in Portumna. Ms Doddy outlined that both structures were the subject of ownership and insurance matters respectively. In regard to Oakley Park, Cllr Curley expressed concerns over the deletion from the list of a structure of historical importance dating back to 1760 due to an insurance matter. Ms. Doddy stated that the decision to confirm deletion of structures would be taken between members and a final decision presented for the March meeting of the municipal district.

Cllr Byrne asked if there was an extension to the deadline of the Built Heritage Investment Scheme 2021.

Ms. Doddy in response stated that the deadline for the Scheme was the 26th February 2021. She added that there were two different strands of funding in carrying out conservation work.

The Built Heritage Investment Scheme 2021 (BHIS) for the repair and conservation of structures protected under the Planning and Development Acts. The Scheme aims to support small-scale conservation projects across the country with grants of between €2,500 and €15,000 available.

The Historic Structures Fund 2021 (HSF) is for conservation works to heritage structures, in both private and public ownership. The primary focus of the Historic Structures Fund is on conservation and enhancement of historic structures and buildings for the benefit of communities and the public. Grants of between €15,000 and €50,000 are available under Stream 1, and of between €50,000 and €200,000 under Stream 2. She added that this scheme is very competitive.

Ms. Doddy stated that for works to be carried to national monuments in the ownership or guardianship of the Minister or a Local Authority such as graveyards which are included on the Record of Monuments and Places (RMP), the prior written consent of the Minister is required. This is to allow the National Monuments Service time to consider the proposed works and how best to proceed to further the protection of the monument. The Community Monuments Fund provides capital funding for projects in relation to Monuments that are included in the Record of Monuments and Places under the National Monuments Act. Projects proposed by a Local Authority in relation to monuments in public ownership must show a clear heritage focus and community or public benefit and the LA must provide a comprehensive method statement of the project with the application. No announcement of funding under this scheme for 2021 has been made as yet.

Cllr Maher thanked Mairin Doddy in respect of her work in assisting with a regeneration project for the conservation and enhancement of Loughrea walled town. The cost of the project amounted to over €500,000 over a five-year period and facilitated the building of The Loughrea Medieval Festival around this and was an excellent showcase for both Loughrea town and Galway County.

Cllr Hynes thanked Ms. Doddy for her advice and guidance in Loughrea on the wall's town project.

Cllr McClearn proposed the following Notice of Motion which was seconded by Cllr Canning *'That Galway County Council engage the services of a Conservation Architect to produce a method statement and supervise remedial works on restoring Structures throughout the County on a Pilot basis.'*

Presentation on the Strategic Housing Development application at Cosmona, Loughrea, County Galway 2105

Cllr Maher distributed a submission from Cosmona residents in Loughrea to the members outlining their concerns in relation to a Strategic Housing Development application made for that area. He had recently attended a public zoom meeting involving residents who aired their concerns over the proposed development.

Ms Loughnane outlined that a strategic housing development application had been made to An Bord Pleanála for 104 houses in Cosmona, Loughrea. A master plan had also been supplied by the developer to the Bord for 340 houses, but she reiterated to the members that the application received was seeking consent for 104 houses and not to the overall master plan as part of the application. Generally, when there is a large tract of land a Master Plan is usually requested by the Board to show how an area may develop into the future. Ms Loughnane added that the application is divided into two phases with 40 dwellings to be developed in phase one and 64 in phase two.

Mr O'Connell proceeded to give the members a background of the application to the members.

He stated that the Council had received notification from An Bord Pleanála of a SHD application from an asset management company called Rocktop Development for the development of a total of 104 residential units at Cosmona, Loughrea, reference number ABP 309253. There would be an opportunity to make submissions until the 1st March with a decision on the application to be made by An Bord Pleanála on the 17th May 2021. All the documentation on the application is available at the Planning counter or can be viewed online at cosmonaloughreashd.com or on the An Bord Pleanála website.

Mr. O'Connell explained that as per the Planning and Development (Housing) and Residential Tenancies Act 2016, An Bord Pleanála is the decision maker on the application with the executive of the local authority having a consultation role. This process allows the members to participate in the process and air their views.

A Chief Executive Report will be prepared on the application for the Bord by the 18th March which the Council have an obligation to prepare under Section 8(5) of the Planning and Development (Housing) and Residential Tenancies Act.

Mr O'Connell explained that the first engagement that local Planning Authority had with the developer was 21st August 2019 where the initial SHD proposal was for 338 residential units on a larger land parcel in excess of 15 hectares. GCC prepared a report to An Bord Pleanála after the Stage 1 Pre-Planning meetings advising them of serious concerns over the number of houses proposed on phase 2 and advised the developer to restrict the development options to lands zoned within the R1 parcel.

A stage 2 tripartite meeting subsequently took place between representatives of GCC, the developer and An Bord Pleanála where the proposal had moved to 340 residential units again on the large land parcel. GCC prepared an opinion on the proposal and similarly outlined concerns to development of phase 2 land parcel. After the meeting, An Bord Pleanála contacted the developer and outlined similar concerns of the development of stage 2 land citing possible contravention of the Loughrea area plan. The current application called stage 3 which is the formal planning application process to An Bord Pleanála, is for a truncated scheme of 104 units on a much smaller site confined primarily to R1 land parcel consisting of two phases of development of 40 and 64 residential units. The units will consist of primarily semi-detached two storey residential units and some short terraces.

Cllr Hynes thanked Ms. Loughnane and Mr. O'Connell for their contributions. He referred to the document distributed with the concerns from the Cosmona residents and signalled out the point addressing surface water drainage in the application. He had received many representations from residents of Hazelwood estate which is adjoining the proposed development. He understood that Hazelwood housing estate is lower lying than the ground level for the proposed development of 104 houses. He added that the objectors are not opposed to the construction of new houses but in this regard to the layout and density of the proposed development.

Cllr McClearn stated that he had attended the public meeting and had heard the concerns of the residents. He informed the meeting that representatives of the developers had stated that the master plan was done at the behest of GCC and asked for clarification on whether this was true. He added that he had serious concerns over the parkland judging from the plans, as no proposed houses were overlooking it and the construction traffic that would come past the Gaelscoil and on a route that residents are living in, in particular the Cois Fuarain estate. In response Mr. O'Connell stated that the Council did not solicit the master plan in this development as the masterplan constituted the initial pre planning submission for the 340 houses.

Cllr Curley raised his concerns for human safety in regard to traffic as a result of Gaelscoil Riabhach being on a side road in close proximity to where the proposed construction would take place. As a result, he felt that children crossing the road could be placed in danger due to the development. He added that construction traffic could last for a period of 10 years whilst the development was ongoing with a large volume of lorry's passing through each day. He added that the majority of the land lies on underlying rock and that rock breaking for a number of years to facilitate the laying of foundations could result in structural damage to houses in the vicinity. In response Mr. O'Connell stated that this would be entirely site specific and would require a hydrological survey to determine whether that would be the case in this instance. An Bord Pleanála would determine whether that would be required as part of planning granted before structural surveys would be carried out. Ms.

Loughnane added that Cllr Curley's concerns could form part of the Council's report to the Bord

Cllr Donohoe said she had attended the meeting as well and was deeply concerned by the issues raised by the proposed development. She wished to know what GCC planning section opinion is on the development and alluded to traffic management concerns that exist already in Loughrea and such developments go against the local area plan. She added that she was not opposed to housing development but not on this scale. She also wondered what works the developer had done in the past and they had completed anything on the scale that has been proposed for Cosmona.

Cllr Byrne said he agreed with Cllr Donohue and felt that clarity was needed on the planning issues from a Galway County Council perspective. He added that looking at the proposals he could see a risk from a construction perspective and a huge safety concern for residents in the Cois Fuarain estate.

Cllr Finnerty said that the members had a duty to the residents to take on board their comments and support them. He asked why the application went through An Bord Pleanála and not Galway County Council and what Galway County Council's opinion was of the proposed development.

Cllr Kinane agreed with the contributions made by the members and while acknowledging the need for housing development, that concerns of the people living in the area had to be considered. She also asked for the views of the Council on the development.

Cllr Canning said there was a need to listen and support the people on the ground and felt that in event that the application was turned down that the developers would come back with an amended proposal. He also asked why it was An Bord Pleanála and not GCC that had to make a decision on the project. In response Ms. Loughnane stated planning applications for large-scale housing developments of 100 units or more are made directly to An Bord Pleanála (the Board) as per the 2016 Planning and Development (Housing) and Residential Tenancies Act 2016. The introduction of this measure was to help fast track large scale housing developments.

Cllr Maher expressed serious concern regarding the project and would not support it He stated that the developer had invested heavily in the project and would likely come back if the application was refused. He cited the issues such as the roadway which was lacking a walkway and the size of the development that went against the Local Area Plan and Co Development Plan. He also had huge concerns regarding the sewage system which was at 95% capacity and could not take the number of houses planned.

Ms. Loughnane thanked the members for their comments. In response to queries raised around the process she stated that planning applications for large-scale housing developments of 100 units or more are made directly to An Bord Pleanála (the Board) as per the 2016 Planning and Development (Housing) and Residential Tenancies Act 2016. The introduction of this measure was to help fast track large scale developments. She said that anyone can make a submission to An Bord Pleanála by 1st March. She said they have consulted with the members today to get their comments on the development and this will

be included in the Council's report to the board. She reiterated for clarity that the application was for 104 residential units and to ensure that if any member makes a submission that comments are on that proposal and not that of the master plan.

Mr. O'Connell confirmed for the members that submissions on the application come first and the Chief Executive Report follows because the legislation requires it. He said that the members comments will feed into the Chief Executive's report.

In response to the members request for an opinion on the application, he said that there is a due process to be observed and they had yet to review all the submissions received to date and more submissions were likely to be received over the next fortnight.

Ms Ruane said there was a clear procedure in place for the granting of planning permission for SHD's. She added that comments of the members would be taken on board and would be included in the Chief Executive's report. She also re-iterated that the members can make individual submissions before the 1st March should they wish to do so.

Cllr Maher thanked Ms. Loughnane and Mr. O'Connell for their presentation.

Cathaoirleach Business

LMD 2107

Cllr Kinane's referred to the need to discuss her notice of motion from the meeting of the Loughrea MD in December and the urgent need for a review to for safe location for public swimming at Renville Pier.

Cllr Maher agreed that the matter would be discussed in greater detail at the next meeting of the Loughrea MD

The next meeting of the Loughrea MD was set for 8th March 2021 at 10am.

CHRIOGHNAIGH AN CHRUINNIU ANSIN



**CLLR MICHAEL MAHER
CATHAOIRLEACH, LOUGHREA MD**

