



Comhairle Chontae na Gaillimhe
Galway County Council

Loughrea Local Area Plan 2024–2030

October 2024

Section 31 Chief Executive's Report on
Submissions Received in Relation to the
Draft Ministerial Direction

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1.0 Introduction and Overview

1.1 Background – Draft Ministerial Direction

On the 22nd of August 2024 the Minister of State for Local Government and Planning, consequent to a recommendation made to him by the Office of Planning Regulator under Section 31AO (7) of the Planning and Development Act 2000 (as amended) (hereafter referred to as the Act), issued a Draft Ministerial Direction to Galway County Council.

The Draft Ministerial Direction relates to the Loughrea Local Area Plan 2024 – 2030 (Local Area Plan) and requires the following step to be taken.

- Delete Material Alteration MA35 from the adopted Local Area Plan – i.e. the subject lands revert to unzoned from Community Facilities.

1.2 Legislative Context for the Direction

In his notice dated on the 22nd of August 2024, the Minister stated that in his opinion, the adopted Local Area Plan has failed to implement the recommendations of the Office of the Planning Regulator under section 31AO of the Act and the Local Area Plan, as made, fails to set out an overall strategy for the proper planning and sustainable development of the area. The Minister stated that in his opinion, the Local Area Plan is not consistent with National, Regional or the Development Plan of the area policy objectives as set out in the National Planning Framework, the Regional Spatial and Economic Strategy for the Northern and Western Regional Assembly and the Galway County Council Development Plan 2022-2028.

The Minister also stated that in his opinion, the Local Area Plan fails to have regard to Ministerial Guidelines issued under section 28 of the Act and that the Local Area Plan has not been made in a manner consistent with and has failed to implement the recommendations of the Office of the Planning Regulator under Section 31 AO.

The Draft Ministerial Direction relates to the Loughrea Local Area Plan 2024 – 2030 (Local Area Plan) and requires the following step to be taken.

- Delete Material Alteration MA35 from the adopted Local Area Plan – i.e. the subject lands revert to unzoned from Community Facilities.

1.3 Public Consultation

Notice of Draft Ministerial Direction was published on the 29th of August 2024. A copy of the Draft Direction was made available for inspection and submission/observations were invited for a period two weeks between the 29th of August and the 12th of September 2024, inclusive.

The documents were available on public display on the Councils consultation portal, consult.galway.ie, and hard copies of the documents were made available at the Planning offices of Galway County Council, Áras an Chontae, Prospect Hill, Galway. Submissions/observations were invited via the consultation portal, via email or in writing to the Planning Department.

1.4 Purpose of the Chief Executives Report

Section 31 of the Act sets out the requirement for the Chief Executive to prepare a report on any submissions or observations received.

In this regard, the report of the Chief Executive must:

- a) Summarise the views of any person who made a submission or observation.
- b) Summarise the views and recommendations (if any) made by the Elected Members.
- c) Summarise the views and recommendations (if any) made by the Regional Assembly.
- d) Make recommendations in relation to the best manner in which to give effect to the Draft Direction.

The report of the Chief Executive must be furnished to the Elected Members of the Planning Authority, the Office of the Planning Regulator (OPR), the Minister and, where relevant the regional assembly concerned, no later than four weeks after the expiry of the public consultation period.

1.5 Next Steps

In accordance with Section 31 AP (4) of the Act, the OPR shall consider the report of the Chief Executive on the submissions, together with any submission made under Section 31(10) of the Act, and shall recommend to the Minister that he or she issues the direction with or without minor amendments or where the Office is of the opinion that:

- a) A material amendment of the draft direction may be required.
- b) Further investigation is necessary in order to clarify any aspect of the report furnished or submissions made; or,
- c) It is necessary for any other reason, appoint a person to be an inspector no later than 3 weeks after the date of receipt of the Chief Executive's Report.

If the Minister agrees with the Recommendation, then he shall issue the direction with or without minor amendments. Pursuant to Section 31(17) of the Act, the direction issued by the Minister is deemed to have immediate effect and its terms are considered to be incorporated into the Plan, or, if appropriate, to constitute the Plan.

2.0 Summary of Submissions Received in Relation to the Draft Ministerial Direction

A total of 8 no. submissions were received in relation to the Draft Ministerial Direction, during the statutory public consultation period from the 29th of August to the 12th of September 2024, inclusive. A list of all persons/bodies that made submissions/observations during this period is provided in Appendix B.

Submission No.	Submission Name	Summary of Issues Raised in Submission
GLW-C114-2	Transport Infrastructure Ireland (TII)	Submission states that in relation to the proposed Material Amendment (MA35) from the adopted Local Area Plan, TII's observations remain as set out in the Authority's submission on the Proposed Material Alteration MA35 dated 3 rd May 2024. Submission also confirms support for the Draft Direction relating to MA 35.
GLW-C114-3	National Transport Authority (NTA)	The NTA has made a submission on the Draft Ministerial Direction. The submission outlines their previous submission made at the Material Alteration stage and observation made in relation to MA35: that the proposed zoning at this location is not supported by transport provision to facilitate development. Submission considers that these proposals would undermine the Draft LAP objectives to promote sustainable settlement and transportation strategies. Furthermore the submission reiterates concerns from its previous submission that the NTA is concerned about the potential impact on the N65 of significant zoning at this location, in the absence of proposals to serve the lands by sustainable means and the likely resulting car dependency of travel to/from the area. Submission states its support for the Draft Direction.
GLW-C114-8	Cllr Shane Curley On behalf of Loughrea Municipal District Members	A comprehensive submission has been received in relation to MA35. The following points have been outlined to justify the retention of Community Facility zoning north of the N65 bypass: - Developing an underpass under the N65 bypass would provide accessibility from Loughrea town to the proposed zoned site (MA35) for pedestrians and cyclists. In addition, there are two other access points to the subject land from local roads, thus protecting the integrity of the N65; the submission suggests that the access issue can be dealt with during the planning process stage. - There is a lack of adequate lands to develop sport facilities within the proposed town boundary. The only viable solution is to zone and develop the lands proposed in MA 35. - Submission states that the proposed lands are situated inside the current town boundary of the existing LAP which was previously approved by the Department of Local Government. - Loughrea is lacking in sport and recreational facilities to cater for the town size and its growing population, thus hindering the towns' ability to ensure the sustainable future development of the town. Submission states that it is an explicit objective of the County Development Plan that more sporting facilities are provided for the growing population of Loughrea to ensure the sustainable future development of the town. Submission further states that there are currently no sporting field facilities for anybody in the town, with the exception of the Loughrea Hurling Club pitch

		which caters exclusively for the local hurling and camogie club. All other sports groups use facilities which are far outside the town. MA35 would solve the accessibility to pedestrians and cyclists and provide physical activity facilities for all ages. • Development at subject lands (MA35) would enhance accessibility for pedestrians and cyclists, offering physical activity facilities for individuals of all ages. • The lack of sporting facilities in Loughrea Town is resulting in thousands of weekly car journeys. Retaining MA35 would <i>'reduce car kilometres by 1.5 million per year and reduce annual carbon emissions by 600 metric tonnes making the behaviour of inhabitants of the town far more sustainable.'</i> <i>In summary the submission states that the lands in question are subject to an options agreement between landowners and a community group who entered into this agreement. They have done so to address a major deficit in sporting facilities in the town and to provide such facilities for future generations.</i>
GLW-C114-5	Cllr. Geraldine Donohue	The submission highlights support for MA35 and MA36. The submission notes the following; • Community Facilities are urgently required to support the rapidly growing population of Loughrea town and hinterland. • Submission states that the current road infrastructure at this proposed community facility proposal has the potential and space to put in place active travel measures similar to what is in place throughout Dublin. In addition, with the speed limit review now gone through legislation the reduction in speed at this location will greatly assist with any Active Travel Measures that promotes cycling and walking and linking the residential areas of Loughrea. • Land at MA35 will reduce car journeys to other facilities across the county. The submission supports LSCDG and states that no alternative land is available for such a development. Submission requests that the Minister allow the Community Facility zoning to remain.
GLW-C114-4	Sean Canney TD	Submission objects to Draft Direction and seeks to maintain the zoning of community facilities as per MA 35 and seeks to retain the policy objective in MA36. The submission supports the Loughrea Sports and Community Development Group (LSCDG) in the provision of a sporting facility, further outlining support for zoning Community Facilities as per MA 35 and retaining the Policy Objective MA36. The submission raises several points as follows. • Submission states that the proposal to maintain the zoning of community facilities is the only way the town can advance its aim to provide sufficient sporting facilities accessible by residents in the town.

		• Submission highlights the lack of sporting and recreational facilities in Loughrea town is resulting in significant distances for people to travel to reach such facilities resulting in increased carbon emissions. • The submission outlines that the existing sporting facility in Loughrea town is not sufficient to accommodate the increasing population, projected to rise from 6,200 to 8,500 by 2029. • Submission highlights the lack of sports pitches within the town and that the local clubs travel to rely on the generosity of neighbouring parishes. • Submission highlights the need for community facilities within the town and that there is no other option of where these facilities might be located. • Submission contends that MA35 will result in less car journeys. • Submission references previous surveys and audits which highlight that the current offering of community and sports facilities in Loughrea are sporadically located and no longer fit for purpose. • The submission notes there would be no vehicular access proposed off the N65. Proposed access would be from a local road. The provision of an underpass would provide walking and cycling connectivity from MA35 to the rest of Loughrea town.
GLW-C114-7	Ciaran Cannon TD	The submission outlines support for MA35. The submission states that the lands in question have been acquired by the Loughrea community. Submission raised several issues as follows: • The lack of sufficient Sport Facilities is causing concern for Loughrea and the communities' future generations. • The land at MA35 is immediately adjacent to Loughrea town and can be accessed on foot, bike particularly if a pedestrian underpass is developed under the N65 bypass • Submission requests that MA35 remain in place.
GLW-C114-1	Colm O'Donnell on behalf of Community Group 'It's time for a public swimming	The submission expresses the Community Groups 1,500 members support for MA35. The submission requests the provision of a publicly owned swimming pool in the Loughrea area. It is noted that the lack of swimming pool facilities results in significant distance people must travel. The submission further states that alternative lands should be identified if MA35 is not to be zoned community facilities.

	pool in Loughrea'	
GLW-C114-6	Loughrea Sports and Community Development Group (LSCDG)	A comprehensive submission has been received in relation to MA35. The following points have been outlined to justify retaining Community Facility zoning north of the N65 bypass: • Developing an underpass under the N65 bypass would provide accessibility from Loughrea town to the proposed zoned site (MA35) for pedestrians and cyclists. In addition, there are two other access points to the subject land from local roads, thus protecting the integrity of the N65; the submission suggests that the access issue can be dealt with during the planning process stage. • There is a lack of adequate lands to develop sporting facilities within the proposed town boundary. Steps have been taken to secure options for purchase for the proposed community facilities. Any expansion is impossible without extending beyond the N65 bypass. The only viable solution is to zone and develop the MA35 lands. • The proposed lands are situated within the current town boundary the existing Local Area Plan which as previously approved by the Department of Local Government. The proposed new boundary moves/reduces the amount of land available for any development in the town, yet the new plan proposes increased population. Submission raises concern that community facilities are not expanding in parallel with projected population growth which, it is stated would be inconsistent with Section 31AO of the Act. • Loughrea is lacking in sport and recreational facilities to cater for the town size and its growing population, thus hindering the towns' ability to ensure the sustainable future development of the town. Submission states that it is an explicit objective of the County Development Plan that more sporting facilities are provided for the growing population of Loughrea to ensure the sustainable future development of the town. Submission further states that there are currently no sporting field facilities for anybody in the town, with the exception of the Loughrea Hurling Club pitch which caters exclusively for its members. In addition, it is stated that the extent of lack of sporting and recreational facilities in Loughrea surpass any similar shortfall in any other town of its size. • Submission references NPO27 of the NPF with particular reference to integrating physical activity facilities for all ages. It is further stated that there are no such facilities except the above mentioned hurling pitch anywhere within the town boundary. Other facilities are far outside the town, which are inaccessible to pedestrians and cyclists. • Development at subject lands (MA35) would enhance accessibility for pedestrians and cyclists, offering physical activity facilities for individuals of all ages. LSCDG seeks to develop a facility that provides alternatives to the car and deem the proposed location would meet a sustainable community minded transport model with pedestrian and cycle links to access the facility as a core objective. • The lack of sporting facilities in Loughrea Town is resulting in thousands of weekly car journeys. Retaining MA35 would <i>'reduce car kilometres by 1.5 million per year and reduce annual carbon emissions by 600 metric tonnes making the behaviour of inhabitants of the town far more sustainable.'</i>

		• <i>There is a chronic lack of provision of suitable sport and recreation facilities within the town.</i> • Submission requests that previous development decisions for the benefit of the car do not hinder what is a sustainable proposal for the people of Loughrea.
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3.0 Recommendation on the Best Manner to Give Effect to the Draft Direction

The Chief Executive has considered each of the 8 submissions made through the statutory public consultation. In the interest of clarity the lands identified as MA35 are the subject of the Draft Ministerial Direction. My recommendation as Chief Executive remains the same as that contained in the Chief Executive's Report of the Material Alterations stage of the local area plan making process. Therefore, the draft ministerial direction should issue and revert to the Draft Plan as follows:

(a) Material Alteration 35 – Delete Material Alteration 35 from the adopted Local Area Plan i.e. the subject lands revert to unzoned, outside the settlement boundary from Community Facilities as per the Draft Local Area Plan.

A handwritten signature in black ink, reading 'Liam Conneally'. The signature is written in a cursive style with a large, stylized 'L' and 'C'. Below the signature is a large, hand-drawn arrow pointing downwards and to the right.

Liam Conneally
Chief Executive
Galway County Council

Appendices

Appendix A Draft Direction

**DRAFT DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

Loughrea Local Area Plan 2024-2030

“Local Area Plan” means the Loughrea Local Area Plan 2024-2030.

“Planning Authority” means Galway County Council.

“County Development Plan” means Galway County Development Plan 2022-2028

“RSES” means the Regional Spatial and Economic Strategy for the Northern and Western Region

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) (“the Act”) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2024 (S.I. No. 234 of 2024), and consequent to a recommendation made to him by the Office of the Planning Regulator, hereby directs as follows:

- 1) This Direction may be cited as the Planning and Development (Loughrea Local Area Plan 2024-2030) Direction 2024.
- 2) The Planning Authority is hereby directed to take the following steps with regard to the Local Area Plan:
 - (a) Delete Material Alteration MA35 from the adopted Local Area Plan - i.e. the subject lands revert to unzoned from Community Facilities.

STATEMENT OF REASONS

- I. The Local Area Plan includes a material alteration to the draft Local Area Plan to zone land as Community Facilities located on the far side of the N65 national primary road with no existing or planned access by walking, cycling or public transport from Loughrea, inconsistent with the objectives of the RSES and County Development Plan for sustainable growth which prioritises

connectivity by way of safe, secure walking and cycling routes and public transport (RPO 6.30 of the RSES and County Development Plan Policy Objectives PM 4 and PM 6), and supports the provision of pedestrian and cycling infrastructure for shorter local journeys (County Development Plan Policy Objectives GCTPS 4 and WC 4).

- II. The Local Area Plan includes a material alteration to zone land as Community Facilities adjoining the N65 national primary road which is inconsistent with RPO 6.5 of the RSES and Policy Objective NR 1 of the County Development Plan to protect the strategic capacity and safety of the national roads network and associated national road junctions, and to sections 2.4 and 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) (which the Policy Objective NR 1 requires to be implemented).
- III. The Local Area Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under section 31 AO of the Act.
- IV. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area, which is a requirement of the Act.
- V. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the RSES, which is a requirement of the Act.
- VI. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

Minister for Housing, Local Government and Heritage

day of Month, year.

Appendix B List of submissions received

GLW-C114-1	Colm O'Donnell
GLW-C114-2	Transport Infrastructure Ireland (TII)
GLW-C114-3	National Transport Authority (NTA)
GLW-C114-4	Sean Canney TD
GLW-C114-5	Cllr Geraldine Donohue
GLW-C114-6	LSCDG
GLW-C114-7	Ciaran Cannon TD
GLW-C114-8	Cllr Shane Curley