



Draft **Ballinasloe** Local Area Plan **2022~2028**

**CHIEF EXECUTIVE'S REPORT ON SUBMISSIONS RECEIVED ON THE
MATERIAL ALTERATIONS TO THE DRAFT BALLINASLOE LOCAL
AREA PLAN 2022 - 2028**

MAY 2022



Comhairle Chontae na Gaillimhe
Galway County Council

Draft Ballinasloe Local Area Plan 2022-2028

Chief Executive's Report on Submissions Received on the Material Alterations to the Draft Ballinasloe Local Area Plan 2022-2028

CHIEF EXECUTIVE'S REPORT

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Galway County Council

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1. Chief Executive's Report Introduction

1.1 Legislative Requirements Relating to the Local Area Plan

This report forms part of the statutory procedure for the making of a Local Area Plan and has been prepared following the receipt of submissions and observations with respect to the proposed Material Alterations to the Ballinasloe Local Area Plan 2022-2028 received pursuant to a notice required by Section 20(3)(k) of the Planning and Development Act 2000 (as amended).

In accordance with Section 20 of the Planning and Development Act, 2000 (as amended) this report shall include the following:

- (i) list the persons or bodies who made submissions or observations,
- (ii) summarise the following from the submissions or observation made under this section:
 - (I) issues raised by the Minister, and
 - (II) thereafter issues raised by other bodies or persons
- (iii) give the response of the Chief Executive to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policy objectives for the time being of the Government or of any Minister of the Government.

Under Section 20(3)(f) of the Planning and Development Act 2000 (as amended) Galway County Council has determined that a Strategic Environmental Assessment and Appropriate Assessment is not required on the Material Alteration.

A copy of the proposed Material Alterations, the SEA and AA Screening Reports, were available for public inspection during normal opening hours from Wednesday 09th March 2022 to Thursday 07th April 2022, (both dates inclusive).

1.2 Compliance with Environmental Legislation

In compliance with Section 20 (3)(f) of the Planning and Development Act 2000 (as amended), both Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) screening determinations were made by Galway County Council with regard to Material Alterations (MA) proposed after the public display of the Proposed Draft Plan.

It was determined that the Material Alterations (MA 1 to MA 41) did not require a full SEA or AA.

1.3 Chief Executive's Report to the Elected Members

The report of the Chief Executive must be prepared and submitted to the Members of the Planning Authority. This report is being distributed to the Ballinasloe Municipal District Members in May 2022. In accordance with Section 20 of the Planning and Development Acts, 2000 as amended, the Members of the Planning Authority shall consider the proposed Material Alterations and the report of the Chief Executive. Following this, the Members may resolve to make the Local Area Plan, either with or without the proposed Material Alterations. A further modification to the Local Area Plan –

- (i) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site;
- (ii) shall not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the Record of Protected Structures.

In making the Local Area Plan, the Members shall be restricted to considering the proper planning and sustainable development of the area to which the Local Area Plan relates, the statutory obligations of

any Local Authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.

A Local Area Plan, once made shall have effect 6 weeks from the day it is made.

1.4 Structure and Content of the Chief Executive's Report

1.4.1 Issues, Responses and Recommendations

The Draft Ballinasloe Local Area Plan 2022-2028 was placed on public display for 6 weeks, from Friday 22nd October 2022 until Friday 03rd December 2022 (inclusive).

The Chief Executive's Report was circulated to the Elected Members on 13th January 2022. The Elected Members of the Ballinasloe Municipal District held a Special meeting on the 09th and 16th February 2022 and agreed to Material Alterations to the Local Area Plan, thereby necessitating a further public display period.

A copy of the proposed Material Alterations to the Draft Ballinasloe Local Area Plan 2022-2028, the associated environmental reports, were available for inspection during normal opening hours from Wednesday 09th March 2022 until Thursday 07th April 2022 (both dates inclusive).

During the public consultation period, submissions were received in relation to the proposed Material Alterations to the Draft Ballinasloe LAP. In this regard a total of 14 submissions were received. The full contents of each submission have been considered in the preparation of the Chief Executive's Report. The report lists the persons that made submissions or observations during the public consultation period, summarises the issues raised in the submissions or observations, contains the opinion of the Chief Executive in relation to the issues raised, and their recommendation in relation to the submission, taking account of the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and the relevant policies or objectives of the Government or any Minister of the Government.

The submissions received have been divided into groupings comprised of the following:

- Prescribed Authorities
- Members of the General Public

The issues raised by the Prescribed Authorities have been dealt with separately first. The Prescribed Authorities are specified in relation to Local Area Plans under the Planning and Development Act 2000 (as amended), the Planning and Development Regulations 2006 and the Planning and Development (SEA) Regulations 2004 as amended. All of the submissions received were individually examined in relation to the various issues raised. A summary of the issues raised in each submission is provided followed by the response and recommendation of the Chief Executive.

The report uses the following text formatting to highlight the proposed material alterations to the Draft Ballinasloe Local Area Plan 2022-2028:

- Existing Text of Local Area Plan – Shown in black text
- Proposed Addition – Shown in red text highlighted yellow
- Proposed Deletion – Shown in red text highlighted yellow with red strike through

Once the Elected Members have made their decisions regarding the proposed Material Alterations, all agreed deletions will be removed, and any agreed additions and consequential changes will be inserted into the Final Ballinasloe Local Area Plan 2022-2028:

1.4.2 List of Submissions Received

This includes a list of all submissions received on the Material Alterations to the Draft Ballinasloe Local Area Plan 2022-2028:

Submissions received - 14

	Name	Date Received
1	Office of Planning Regulator	07/04/2022
2	Northern and Western Regional Assembly	30/03/2022
3	Dept of Housing, Local Government and Heritage	05/04/2022
4	Dept of Environment, Climate and Communications	05/04/2022
5	Dept of Environment, Climate and Communications (GSI)	04/04/2022
6	Office of Public Works	05/04/2022
7	Dept of Transport	05/04/2022
8	Transport Infrastructure Ireland	16/03/2022
9	Dept of Education and Skills	06/04/2022
10	Dublin Airport Authority	05/04/2022
11	Irish Water	07/04/2022
12	Cllr Tim Broderick	07/04/2021
13	Úna Ní Bhroin	02/04/2022
14	BTCRG	06/04/2022

2. Submissions received on Material Alterations to Ballinasloe Local Area Plan 2022-2028

2.1 Submissions Received In relation to Material Alterations to the Draft Ballinasloe Local Area Plan 2022-2028

Office of Planning Regulator

The OPR considers the Draft LAP to be generally consistent with the NPF and RSES. It is stated that the Draft LAP provides a strong framework for development in Ballinasloe with a high level of consistency with the national and regional policy frameworks and the emerging County Development Plan (CDP). The OPR commends the Planning Authority for the presentation of amendments in a systematic and coherent manner. It is also considered that a number of the Material Amendments will strengthen the LAP by delivering on the national and regional policy framework to achieve compact growth and revitalise the town centre of Ballinasloe.

1. Core Strategy and zoning for residential use

The Office has concerns regarding MA 37 and MA 41. These propose to extend the plan boundary at the town's periphery in order to zone further land Residential Phase 1. In addition, MA 40 proposes to amend the subject zoning of land that is serviced and more preferably located relative to the services and amenities of the town centre.

MAs 37 and 41 are more than 2km from the edge of the town centre and result in leapfrogging to a remote location removed from services inconsistent with section 4.19 of the *Development Plans, Guidelines for Planning Authorities (2007)*. These amendments are unjustified given there are sufficient serviced lands zoned which are more suitably located to provide for consolidated plan led growth in Ballinasloe in accordance with national and regional policy objectives. The Office further notes that MA 40 proposes to zone 1.5 hectares of serviced more sequential land from Residential Phase 1 to Residential Phase 2 in order to facilitate MA 37 and MA 41 within the Core Strategy.

MA Recommendation 1 – Land Use Zoning for Residential Use

Having regard to National and Regional policy objectives NPO 3c, NPO 18a, NPO 11, RPO 3.1 and RPO 3.2, section 4.19 of the *Development Plans, Guidelines for Planning Authorities (2007)* and the *Development Plan Guidelines for Planning Authorities, Draft for Consultation (August 2021)*, and the peripheral location of the lands the subject of rezoning amendments MA 37 and MA 41, the planning authority is required to make the Local Area Plan without the following material amendments:

- (i) MA 37 as the proposed rezoning is inconsistent with national and regional policy objectives promoting compact growth and the sequential approach to development.
- (ii) MA 41 as the proposed rezoning is inconsistent with national and regional policy objectives promoting compact growth and the sequential approach to development.
- (iii) In association with (i) and (ii) above, MA 40 as these lands are more sequential to the town centre and should be included as Residential Phase 1.

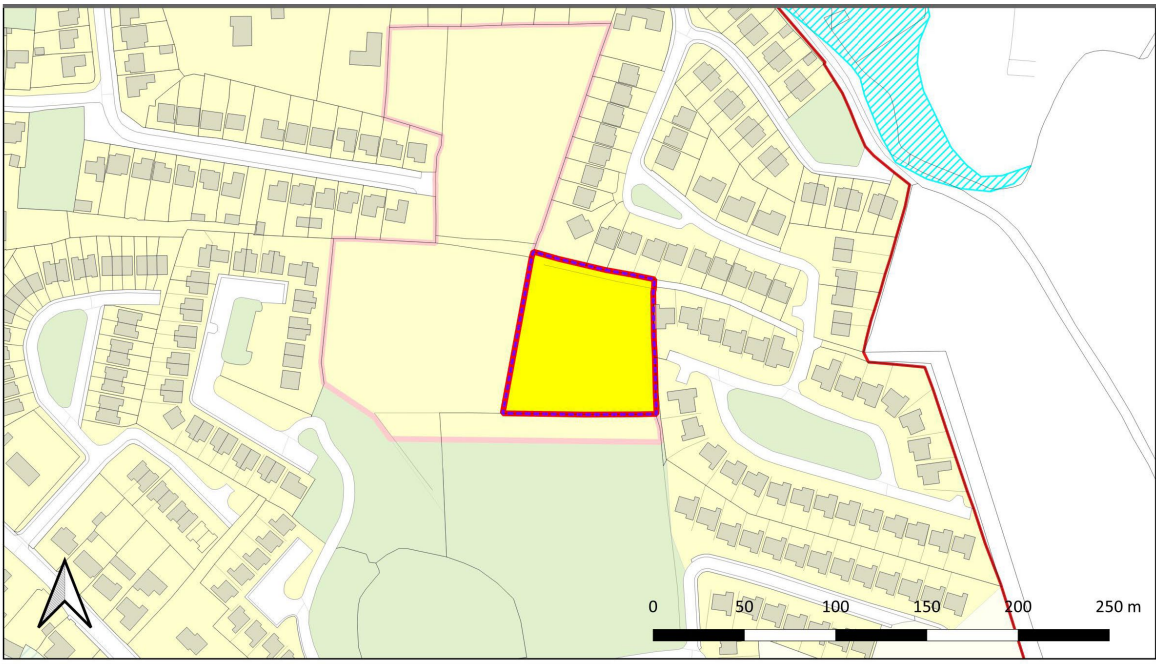
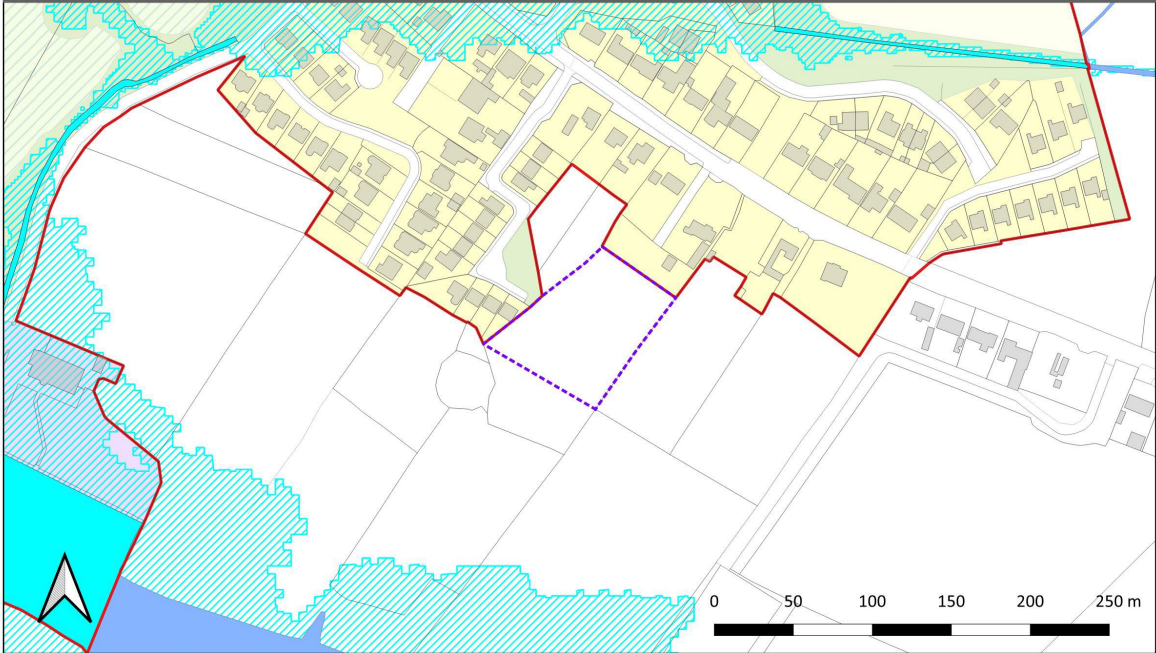
Chief Executive's Response

The contents of the submission are noted and the Planning Authority concurs with the view of the OPR with regard to MA 37, MA 41 and MA 40 and it is considered that there is no justification for the said MA.

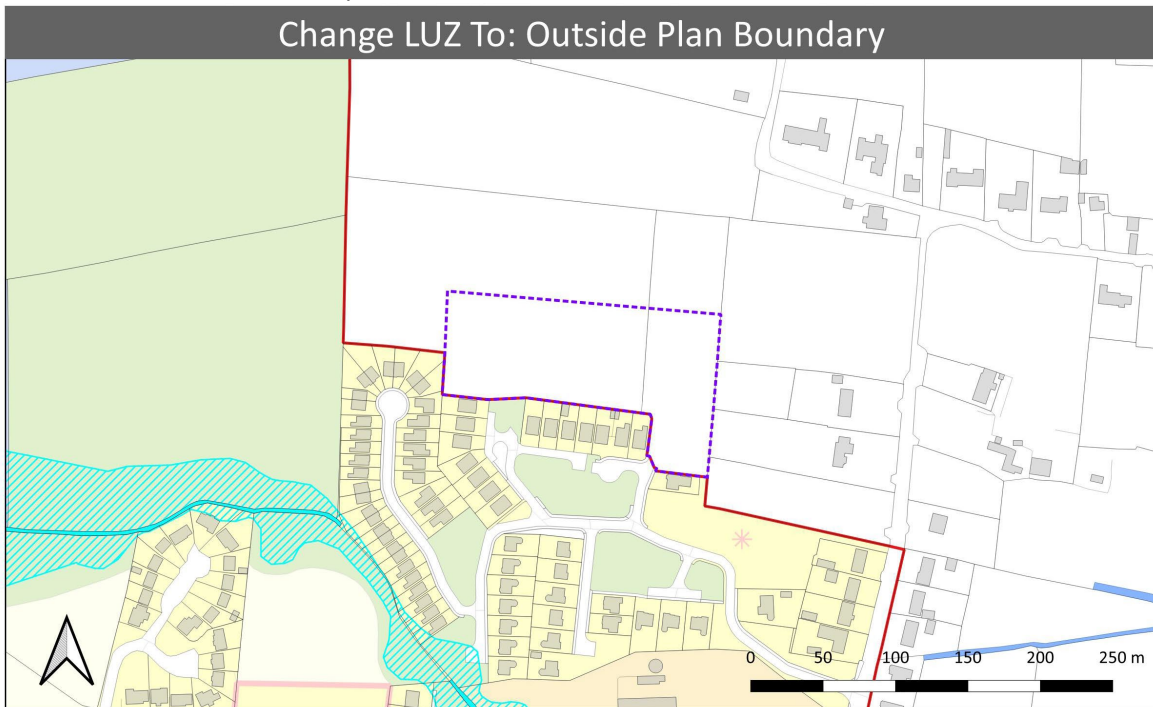
Chief Executive's Recommendation

- i. **MA 37:** Revert to the provisions of the Draft Plan where these lands were not zoned and lands to the north were zoned Residential Phase 1.

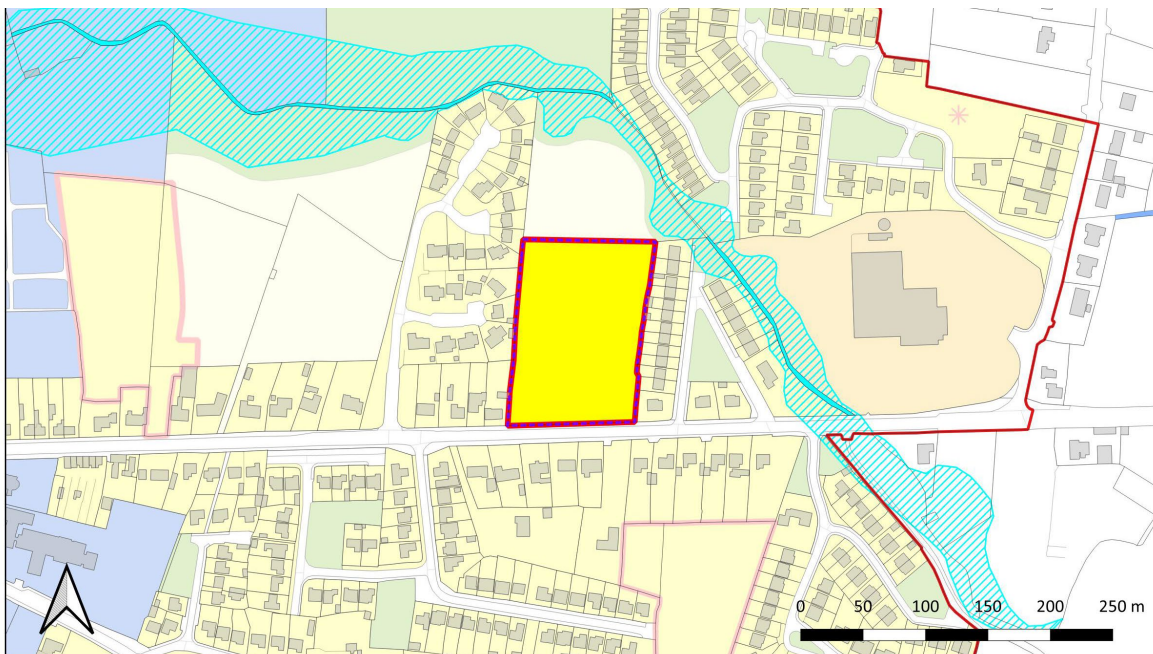
Change LUZ From: Outside Plan Boundary



- ii. **MA 41:** : Revert to the provisions of the Draft Plan where these lands were not zoned.



- iii. **MA 40:** : Revert to the provisions of the Draft Plan where these lands were zoned Residential Phase 1. Rezone lands from Residential Phase 2 to Residential Phase 1 as per the Draft Plan.



Sustainable Development

The Office notes that MA 28 proposes to change the land use zoning of 5 hectares of land from 'Business and Enterprise' to 'Commercial Mixed Use'. This change allows for a broader mix of uses including retail to be considered at this edge of centre location, south of the town centre.

The Office considers that this amendment has the potential to undermine and detract from the revitalisation of the town centre contrary to NPO 6 and RPO 3.1 and would be inconsistent with the strategic aims of the LAP which seek to provide for sustainable compact growth and BKT 9 that seeks to ensure that Ballinasloe Town Centre will remain the primary focus for the location of new retail and commercial development.

MA Recommendation 2 – Commercial Land Use Zoning

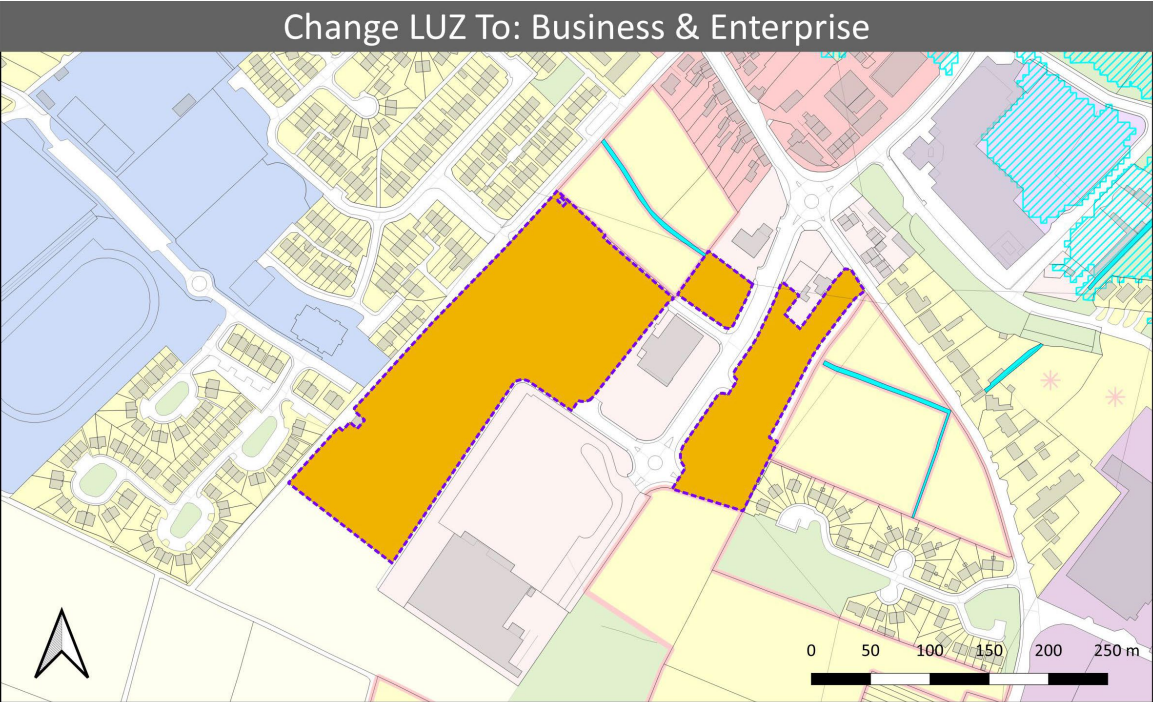
In order to ensure the effective delivery of compact growth for Ballinasloe having regard to National Strategic Outcome 1 and NPO 6 of the National Planning Framework and Regional Policy Objective 3.1 of the Regional Spatial and Economic Strategy for the Northern and Western Regional Assembly area, as well as to ensure consistency with the strategic aim of the Ballinasloe Local Area Plan to provide for sustainable compact growth and to support the regeneration of the town centre, and policy objective BKT 9 which seeks to ensure that the town centre will remain the primary focus for the location of new retail and commercial development, the planning authority is required to make the Local Area Plan without proposed amendment MA 28.

Chief Executive’s Response

It is considered that this amendment has the potential to undermine and detract from the revitalisation of the town centre contrary to NPO 6 and RPO 3.1 and would be consistent with the strategic aims of the Draft LAP which seek to provide for sustainable compact growth and BKT 9 that seeks to ensure that Ballinasloe Town Centre will remain the primary focus for the location of new retail and commercial development.

Chief Executive’s Recommendation

MA 28: Revert to the provisions of the Draft Plan where these lands were zoned Business and Enterprise.



Sustainable Transport and Accessibility

The Office considers there is merit in the Planning Authority giving consideration to the inclusion of a minor modification to provide for the monitoring for the implementation of the actions of the LTP and LAP with respect to sustainable transport objectives.

MA Observation 1 – Local Transport Plan Actions

Arising from the planning authority’s response to Recommendation 4 of the Office’s submission to the draft Local Area Plan (LAP), which included incorporating the key actions of the Local Transport Plan (LTP) into the LAP, and Observation 5 which advocated for the inclusion of modal share targets to assist in measuring the outcomes of infrastructure measures promoting sustainable transport in the town, and having regard to the requirements under section 10(2)(n) of the Planning and Development Act 2000, (as amended), the planning authority is advised to consider including a minor amendment to policy BKT 31 that provides for the monitoring of the implementation of the actions of the LTP and LAP.

Chief Executive’s Response

As previously advised, the Galway County Transport Planning Study (GCTPS) provides baseline modal data for identified settlements within the County. Over-arching baseline mode shares for the County as a whole are also set out therein. With regard to future mode shares and monitoring, the setting of modal targets and the prediction of “real world” mode shift activity remains challenging. The Draft GCTPS has sought not to set location specific mode targets for future mode use as it is not possible at a County level to predict the exact degree of change which would occur as a result of particular improvements in individual settlements such as Ballinasloe. Rather, it is proposed that changes in mode shares for particular journeys (such as those between the two Key Towns including Ballinasloe, Tuam, Strategic Potential of Athenry, Self-Sustaining Towns of Loughrea and Gort and Galway City) should be examined as part of wider CDP monitoring activities and compared to the type and extent of GCTPS measures which have been implemented, so that correlation between mode share changes and implementation of measures can be estimated. This process would also allow for the identification of external factors (such as economic change) which have a bearing on travel behaviour. The impacts of the LTP will initially be assessed through a qualitative means (which will include discussions with bus operators around route patronage changes) with ‘before’ and ‘after’ on street surveys used where there are additional facilities proposed for pedestrians and cyclists. The next Census, which has recently been recorded, will be a further source of data which will be assessed to examine changes in mode shares more generally.

Chief Executive’s Recommendation

No change

Climate Action

Policy Objective GBI 1 of the Draft Galway County Development Plan only applies to proposals for new large-scale developments. Given that Ballinasloe is a Key Town and having regard to RPO 3.5, the Office considers that there is scope to include such a strategy at a local level and that provision for this should be specifically outlined in the final LAP to ensure the conservation and enhancement of green resources that will assist with climate change mitigation and adaptation at a local level.

MA Observation 2 – Green Infrastructure Strategy

Arising from Observation 8 of the Office’s submission on the draft Local Area Plan, and having regard to RPO 3.5 of the Regional Spatial and Economic Strategy, the planning authority is advised to give further consideration to incorporating a minor modification to Policy BKT 40 Climate Change to include for the preparation of a green infrastructure strategy, which includes for an initial inventory of green resources, to ensure the conservation and enhancement of green resources for the plan area are safeguarded, rather than only at a large scale development level, as provided for in policy objective GBI 1 of the draft Galway County Development Plan 2022 - 2028.

Chief Executive’s Response

The Draft Galway County Development Plan contains policy objective GBI 1 New Developments which states: *‘Require all proposals for large scale development to contribute to the protection, management and enhancement of the existing green/blue infrastructure of the County and the delivery of new green/blue infrastructure, where appropriate by including a green/ blue infrastructure plan as an integral part of any planning application. This plan should identify environmental and ecological assets, constraints and opportunities and shall include proposals which protect, manage, and enhance the development of green infrastructure resources in a sustainable manner’.*

Furthermore, Policy Objective GBI2 Green/Blue Infrastructure Network of the Draft Plan seeks to: *‘Facilitate the ongoing development and improvement of a green/blue infrastructure network for urban and rural areas, connecting both natural and semi-natural corridors such as including green spaces, open spaces, green amenities, residual land, rivers and canals. Enhancements along natural features may include the provision of riparian buffers, community food programmes (allotments) and wild areas for pollination thus ensuring the provision of natural areas for the benefit of biodiversity, wildlife and climate adaptation’.*

It is considered that the two Policy Objectives referenced above are considered to sufficiently provide detail on the approach to green infrastructure across the county including Ballinasloe.

Chief Executive’s Recommendation

No change

Land Use Zones

Section 1.6 does not include a policy objective and description for the Business and Technology land use, notwithstanding that it is included in the land use matrix table (with BT reference) and zoning maps.

Chief Executive’s Response

Section 1.6 will be updated to include reference to Business and Technology.

Chief Executive’s Recommendation

Insert the following row into section 1.6 of the Written Statement:

<p>Business and Technology</p>	<p>To provide for development of Business and Technology.</p>	<p>To facilitate the further development and improvement of existing Business and Technology parks and to facilitate opportunities for the development of new high quality business and</p>
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		technology developments in a good quality environment.
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North West Regional Assembly

- A comprehensive submission has been received from the NWRA; it will be summarised as follows:
- The Assembly express general support for the changes to narrative and policy objectives. It is suggested that a target of 30% be included in the brownfield policy objective to ensure consistency with RPO 3.2 (c).
- There are no specific lands identified for nursing home development which is inconsistent with RPO 7.14.
- Regarding water treatment the Assembly suggest the inclusion of data on storage capacities.
- It is noted that there is no rationale provided for zoning additional lands within extended boundaries. The inclusion of any additional residential lands compounds the inconsistency with RSES population targets.
- Consider specific mention to collaboration in respect of using those lands already serviced in Creagh Roscommon in preference to extending the development envelope of Ballinasloe to include unserviced lands.
- Majority of proposed MAs do not create any consistency issues with the RSES.

Chief Executive's Response

- The Council welcomes the submission received from the NWRA and considers that the Core Strategy within the Draft County Development Plan reflects a requirement for a significant portion of development on brownfield lands within the town which is considered suitable for this Key Town.
- Regarding the provision of nursing homes, the land use matrix table includes reference to nursing homes which is considered sufficient to satisfy RPO 7.14 at this stage.
- As previously advised the population allocation for Ballinasloe was determined in accordance with the 'Key Town' status of the settlement. In addition, the town is well served with employment lands and other services. The train station to the northwest of the town provides a sustainable means of travel to existing and future inhabitants. On that basis, the town was considered to be suitable to accommodate a significant increase in population growth over the coming years.
- Water service capacities are considered by Irish Water.
- Policy Objective BKT 5 Collaboration sufficiently addresses the subject of collaboration with adjoining Local Authorities such as Roscommon County Council.

Chief Executive's Recommendation

No change

SUBMISSIONS FROM PRESCRIBED AUTHORITIES			SUBMISSIONS FROM PRESCRIBED AUTHORITIES
No.	Submission Name	Summary of Issues Raised in Submission	Chief Executive's Response and Recommendation
3	Dept of Housing, Local Govt and Heritage	<p>Archaeology The submission raises concern with the absence of policies and objectives relating to archaeological heritage. Submission advises that observations in relation to Archaeology and Archaeology-Underwater as set out in their initial submission remain the positions of the Department.</p> <p>Nature Conservation Submission welcomes policy objective BKT 41 referring to the Wildlife Act 1976, the Suck River Callows NHA and Ballinasloe Esker. However, concern is raised that there is no reference to an Ecological Impact Assessment. The Department recommends the inclusion of an objective to ensure non-statutory Ecological Impact Assessment will be carried out for any proposed developments likely to significantly impact on natural habitats or species.</p>	<p>Chief Executive's Response: The Draft Galway County Development Plan 2022 – 2028 contains a suite of policy objectives which support the provision of archaeological heritage and ecology. Therefore, it is not considered pertinent to duplication such references in the Draft Ballinasloe LAP.</p> <p>Chief Executive's Recommendation: No Change</p>
4	Dept of Env, Climate and Communications	Galway County Council should consult directly with the Regional Waste Management Planning Office.	<p>Chief Executive's Response: Submission noted.</p> <p>Chief Executive's Recommendation: No change.</p>
5	Dept of Env, Climate and Communications	No specific comment or observations.	<p>Chief Executive's Response: Submission noted.</p> <p>Chief Executive's Recommendation: No change</p>

	<p>Geological Survey Ireland</p>		
<p>6</p>	<p>Office of Public Works (OPW)</p>	<p>Constrained Land Use Zoning The land-use zoning maps have been overlaid with constrained land use zones, which are referenced in policy objective BKT42. The objective states “this zoning limits new development, while recognising that existing development uses within these zones may require small scale development”. The OPW recommends that the wording be amended to provide a stronger clarification that development is limited to extensions, rebuilds and renovations.</p> <p>Reference might be made in part 3 of the Plan Making Justification Tests included in the SFRA to these limitations as mitigations.</p> <p>Furthermore, it should be noted that several of the Plan Making Justification Tests state that, less vulnerable development is appropriate in Flood Zone B. This is not consistent with objective BKT42.</p> <p>Flood Mapping and Land Use Zoning Maps The OPW recommend that the land use zoning maps be overlain with the flood zone maps. While the land use zoning maps have been overlaid with the constrained zoning, it is difficult to assess the zonings/sites at flood risk or if the sequential approach has been applied.</p> <p>Past Flooding In addition to the flood events reported in table 4-3 and section 5.1 of the SFRA, the OPW have been notified by Galway County Council of a flood event from 18/12/2013.</p> <p>Flood Relief Scheme</p>	<p>Chief Executive’s Response: The SFRA has updated BKT42 to deal with this issue. It reflects that the justification test will be applied in each individual instance and specifically clarifies the position on infill development and reconstruction in Flood Zone A/B.</p> <p>The justification tests do make reference to specific limitations on development.</p> <p>BKT 42 has been amended in relation to this point.</p> <p>The maps have previously been updated.</p> <p>This information was included previously</p>

		<p>The OPW welcomes policy objective BKT47 to support and cooperate with the OPW in the delivery of the Ballinasloe Flood Relief Scheme. The OPW recommends that the text in this objective could be clarified to ensure zoning or development proposals support and do not impede or prevent the progression of these measures.</p> <p>Justification Tests</p> <p>The OPW welcomes the inclusion of Plan-making Justification Tests supplied in the SFRA. However, proposed land use zones which allow development classed as highly vulnerable in the Guidelines are shown within Flood Zones A and B in the settlement zoning map where no commentary has been provided to demonstrate that the Plan-making Justification Test has been applied. Examples of these are detailed in the ‘Comments on Specific Areas’ section below.</p> <p>Flood Zones and Appropriate Uses</p> <p>It is set out in Table 3 of the Written Statement that less vulnerable development in Flood Zone B is deemed inappropriate due to climate change. While the OPW would welcome this commitment by Galway County Council, this does not appear to be consistent with the SFRA.</p> <p>Table 3-3 of the SFRA, and several of the Plan Making Justification Tests state that less vulnerable development is appropriate in Flood Zone B.</p> <p>SuDS</p> <p>The Guidelines recommend that the SFRA provide guidance on the likely applicability of different SuDS techniques for managing surface water run-off at key development sites, and also that the SFRA identifies where integrated and area based provision of SuDS</p>	<p>This text has been updated.</p> <p>The written statement and associated documents have previously been updated to include all sites within Flood Zone A/B.</p> <p>The written statement and associated documents have previously been updated to reflect the application of the justification test for less vulnerable development in Flood Zone B.</p> <p>As previously advised, the existing suite of policy objectives set out in the written statement are sufficient without the need for further detail on SuDS techniques.</p>
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		<p>and green infrastructure are appropriate in order to avoid reliance on individual site by site solutions.</p> <p>Climate Change The inclusion of Future Scenarios outlines in figure 4-5 of the SFRA is welcomed. However these only show the increase in extents of a 1% AEP flood event, i.e. Flood Zone A. It would be beneficial if these potential future flood extents could also show the increase in the 0.1% AEP flood event, i.e. Flood Zone B, were included as a separate map, and if the maps could be shown overlaid with the land use zonings to demonstrate the developments that could potentially be affected by climate change.</p> <p>Derrymullan There is a small margin of Flood Zone A in less vulnerable Business & Enterprise zoned lands to the south of the railway. Less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.</p> <p>Sarsfield Road The Commercial/Mixed Use zoned lands have been justified on the basis that any further development be subject to an FRA that addresses that the sequential approach be followed, that less vulnerable elements of the site should be located in Flood Zone B or preferably C, and that highly vulnerable development is only appropriate in Flood Zone C. Permitting less vulnerable development in Flood Zone B is not consistent with objective BKT42, which limits development within the constrained land use zone to minor development to existing buildings.</p> <p>Town Centre N and Commercial Mixed Use (east of Suck)</p>	<p>The SFRA has previously been updated to address this point.</p> <p>The SFRA has previously been updated to include the application of the justification test for this land use zoning.</p> <p>BKT 42 has previously been updated to address this issue.</p>
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		<p>The Town Centre zoned lands have been justified on the basis that within Flood Zone A or B development is restricted to extensions renovations or changes of use. If no new development is to be permitted in the undeveloped Town Centre zoned lands, these might be assigned a Water Compatible zoning such as Open Space.</p> <p>It is noted in the Justification Test for the Commercial/Mixed Use zoned lands that any further development of the lands should be subject to an FRA that addresses that the sequential approach be followed, and that less vulnerable elements of the site should be located in Flood Zone B or preferably C. This is not is not consistent with objective BKT42, which limits development within the constrained land use zone to minor development to existing buildings.</p> <p>Additionally, it should be noted that Commercial/Mixed Use zoning allows for highly vulnerable usage such as Childcare.</p> <p>Town Centre South</p> <p>The Justification Test for the Commercial/Mixed Use zoned lands states that there is a limited overlap with Flood Zone A and B, that the sequential approach should be applied, and that less vulnerable elements of the site be located in Flood Zone B or preferably C. It is clear however, that the majority of the Commercial/Mixed Use zoned lands are located in Flood Zone B, with a limited overlap with Flood Zone A. As Commercial/Mixed Use zoning allows for highly vulnerable uses such as Childcare, the Justification Test should clarify that highly vulnerable uses are not appropriate in Flood Zone A or B.</p> <p>Furthermore, as above, allowing less vulnerable development in Flood Zone B is not consistent with objective BKT42, which limits</p>	<p>The Justification Test can be applied here and it is considered, based on the application of the test, in accordance with Guidance that the Justification Text passed.</p> <p>BKT 42 has previously been updated accordingly.</p> <p>Comment noted.</p> <p>SFRA has previously been updated with respect to commercial mixed use zoned lands in flood zone B.</p> <p>SFRA has previously been updated.</p>
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		<p>development within the constrained land use zone to minor development to existing buildings.</p> <p>It has been noted in the commentary on this area that “The Tourism zoning includes the Shearwater Hotel and this is only impacted by Flood Zone B. In this case the use is considered less vulnerable and as with other sites in the area, risk can be managed in line with approved Policy and the guidance provided within Section 7 of this SFRA.”</p> <p>As the Tourism zoning potentially allows for highly vulnerable usage such as accommodation, this zoning is not appropriate in Flood Zone B, unless a Plan-making Justification Test completed by the local authority can be satisfied.</p> <p>Ballinasloe East The Commercial/Mixed Use zoned lands have been justified on the basis that the sequential approach be applied to future development, that highly vulnerable development is only appropriate in Flood Zone C, and that less vulnerable development is only appropriate in Flood Zone B or preferably C. This is not consistent with objective BKT42, which limits development within the constrained land use zone to minor development to existing buildings. The Public Utility zoned lands have been justified on the basis that “the sequential approach should be applied, and highly vulnerable elements of the site should be located in Flood Zone C, or raised/bunded/protected”. As the majority of the zoned lands are located within and surrounded by Flood Zone A or B, the sequential approach to development will be difficult to apply, see image below.</p> <p>Moycarn</p>	<p>The SFRA has previously been updated.</p> <p>BKT 42 has previously been updated to deal with this issue.</p> <p>BKT 42 has previously been updated to deal with this issue.</p>
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		<p>The Moycarn area does not pass part 2(iii) of the Justification Test, as it is located on the periphery of the settlement. The Tourism zoned lands have been justified on the basis that any extension of the hotel be restricted to Flood Zone B, and that bedrooms be located on the upper floors. The OPW recommends that a policy objective be attached to this zoning to support these mitigations.</p> <p>St Brigids</p> <p>The Justification Test for the Commercial/Mixed Use zoned lands at the St Brigids Hospital site sets out that less vulnerable development can take place in Flood Zone B. This is not consistent with objective BKT42, which limits development within the constrained land use zone to minor development to existing buildings.</p> <p>St Brigids to Dubarry Area</p> <p>The St Brigids to Dubarry does not pass part 2(iii) of the Justification Test, as is located on the periphery of the settlement. The Business & Enterprise zoned lands at the Dubarry factory have been justified on the basis that the sequential approach be applied, and less vulnerable elements be located in Flood Zone B, or preferably C. The Community Facilities zoned lands have been justified on the basis that any future development be subject to an FRA that includes a hydraulic model to confirm levels and extents of the flood risk area, and that the sequential approach be applied, with highly vulnerable elements located in Flood Zone C, and less vulnerable permitted in Flood Zone B. The provisions in these mitigations that less vulnerable development be permitted in Flood Zone B are not consistent with objective BKT42, which limits development within the constrained land use zone to minor development to existing buildings.</p>	<p>The SFRA has previously been updated to reflect the restrictions included within the justification test.</p> <p>BKT 42 has been updated to address this issue.</p> <p>The justification test prevents development in Flood Zones A and B.</p> <p>The SFRA has been updated to deal with this issue. Chief Executive's Recommendation:</p>
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7	Dept of Transport	<p>The Department references three new publications which are relevant to accessible and integrated public transport and considers that these should be referenced. These include:</p> <ol style="list-style-type: none"> 1. “whole of Government” National Disability Inclusion Strategy 2017-2022. The DOT notes MA 12 and states that pedestrian improvements must include reference to ‘dishing’ of footpaths where applicable. 2. The ratification by Ireland of the UN Convention on the Rights of Persons with Disabilities (2018). 3. The DMURS interim advice note 2020. It includes guidance that designers should ensure that measures align with the principles of universal design, consider Government policy on accessibility for people with disabilities and consult people with disabilities to further appraise measures. References in the draft plan to the 2019 version of DMURS should be replaced with reference to 2020 DMURS Interim Advice Note – Covid19 Pandemic Response. 4. DoT notes section MA 12 (reference GLW-C15-39, page 9 of proposed material alterations), a ‘whole journey approach’ should be fully embraced as part of the pedestrian improvements and public transport improvements. 5. Local Link Rural Transport Programme 2018-2022 (NTA). 	<p>Chief Executive’s Response: The Planning Authority note the documents as referred to including “whole of Government” ‘National Disability Inclusion Strategy (NDIS) 2017-2022, United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the DMURS interim Advice Note – Covid Pandemic Response and the Local Link Rural Transport Programme Strategic Plan and Local Link Rural Transport Programme 2048 – 2022 (NTA).</p> <p>Chief Executive’s Recommendation: It is recommended that reference to the following documents are included in Section 1.1 of the Written Statement:</p> <ol style="list-style-type: none"> 1. National Disability Inclusion Strategy 2. The ratification by Ireland of the UN Convention on the Rights of Persons with Disabilities (2018) 3. 2020 DMURS to be replaced with DMURS Interim Advice Note – Covid 19 Pandemic Response 4. Local Link Rural Transport Programme 2018 - 2022
8	Transport Infrastructure Ireland (Michael McCormack)	The observations submitted in TII’s original submission remain unchanged	<p>Chief Executive’s Response: Submission noted.</p> <p>Chief Executive’s Recommendation: No change</p>

9	Dept of Education and Skills	<p>Department welcomes MA4 and MA5 which seek to include policy objectives BKT 65 (supporting provision of community/social infrastructure) and BKT 66 (supporting provision of lands for social/community infrastructure). MA6 to include BKT 67 is also welcomed. However, submission requests that the final sentence be reworded as follows:</p> <p>Support the Development of potential synergies where there are opportunities to locate schools adjacent to open space or recreation amenities, childcare provision and/or other community facilities.</p>	<p>Chief Executive’s Response: The existing suite of Policy Objectives set out in the Draft Galway County Development Plan and the Draft Ballinasloe LAP are sufficient and appropriately worded to support sustainable development such as schools adjacent to open space or other community facilities.</p> <p>Chief Executive’s Recommendation: No change</p>
10	Dublin Airport Authority	No comment, other than to recommend consultation with the IAA and the IAA-ANSP.	<p>Chief Executive’s Response: Submission noted.</p> <p>Chief Executive’s Recommendation: No change</p>
11	Irish Water	<p>Comprehensive submission received from Irish Water and commitment to continually engage with Galway County Council as plan preparation progresses.</p> <p>MA8 Section 2.2 Former St Brigid’s Hospital Project underway to facilitate the closure of Imhoff Tank WWTP by connecting to main network. BKT 21(b) will be applicable in this instance, until the existing WWTP is closed.</p> <p>MA 8 Section 2.2 Ballinasloe OPT-BKT 1 Former Haydens and MA 28 OPT-BKT2 Recommends removal of stormwater from combined sewer serving these sites through use of nature based sustainable drainage systems strongly recommended.</p>	<p>Chief Executive’s Response: The contents of the submission are welcomed and noted. Galway County Council will continue to engage with Irish Water on all matters relating to the plan making process and with relevant planning applications as necessary.</p>

		<p>MA 10 BKT 68 Strategic Sites in Ballinasloe Irish Water is supportive of development briefs/opportunity sites. These should include engagement with Irish Water to determine how the site can be serviced.</p> <p>MA 12 & 13 Local Transport Plan Development in vicinity of Irish Water assets must be in accordance with Standard Details, Codes of Practice and Diversion Agreements where necessary. Early engagement in relation to planned road and public realm projects is requested to ensure public water services are protected.</p> <p>MAs amending Land Use Zonings Short network extensions may be required to service some zoned sites. Localised network upgrades may also be required. Third party agreement may be required where it is proposed to service a new development via private property or private water services infrastructure.</p> <p>Network reinforcements required will be developer driven, unless there are committed Irish Water projects in place to progress such works.</p> <p>New development wishing to connect to an Irish Water network are to be assessed through Irish Water’s Connections and Developer Service process which will determine the exact requirements in relation to network and treatment capacity.</p> <p>Irish Water assets must be protected or diverted as necessary. Diversion agreements may be required. Development in the vicinity of IW assets must be in accordance with IW’s standard details and codes of practice.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>
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		<p>MA 27 Land Use Zoning Residential Phase 2 to Phase 1 Pumping and or third party agreements may be required.</p> <p>MA 36 & 37 Land Use Zoning Change Site serviced by 150mm diameter sewer; upgrades likely to be required. The potential operational impacts for existing wastewater treatment facilities should be considered when assessing applications for the development of sensitive receptors eg. Housing in vicinity. BKT 21(b) will be applicable in this instance.</p> <p>MA 41 Land Use Zoning Change No Irish Water network in adjacent estate; there may be potential to connect via private estate infrastructure, subject to third party agreements. Localised upsizing/network extensions may also be required.</p> <p>The contents of submission should be taken account of in the Environmental Reports.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>The contents of the submission have been considered in the context of the SEA and there are no issues or implications pertaining to the SEA.</p> <p>Chief Executive’s Recommendation: MA 41: Revert to the provisions of the Draft Plan where these lands were not zoned.</p>
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GENERAL SUBMISSIONS RECEIVED		GENERAL SUBMISSIONS RECEIVED	
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No.	Submission Name	Summary of Issues Raised in Submission	Chief Executive’s Response and Recommendation
12	CLlr Tim Broderick	Submission makes reference to MA 41 and submission GLW-C15-15. Highlights that the intention was to reinstate the lands referred	Chief Executive’s Response:

		to in planning application ref. 21/1907. However, other lands were inadvertently identified. Submission states that the process has been compromised and the lands included under planning ref. 21/1907 need to be reinstated.	Submission noted. The map presented at the meeting is the map that is reflected as Material Alteration 41 and subsequently went on public display. Chief Executive's Recommendation: No Change
13	Úna Ní Bhroin	A comprehensive submission was received summarised as follows: <ul style="list-style-type: none"> • Request for addition of rights of way from housing developments to encourage active travel. • Proposes that Beechlawn Road be added to the public sewer. • Requests bicycle parking facilities. • Highlights need for pedestrian safety. • It is stated in the submission that certain trees must be protected and encourages tree planting. 	Chief Executive's Response: There are a number of policy objectives contained in the Draft Galway County Development Plan 2022-2028 regarding public rights of way, such as Policy Objective PRW 1 Public Rights of Way contained in Chapter 10 Natural Heritage, biodiversity and Green/Blue Infrastructure . It is considered that rights of way have been sufficiently supported. The requests for water infrastructure upgrades is a matter for Irish Water. The Draft County Development Plan contains a suite of policy objectives in relation to native tree/plants, including Policy Objective F3 Native Woodlands, TWHS 1 Trees, Hedgerows, Natural Boundaries and Stone Walls and TWHS 2 Planting of Trees and Woodlands . The Planning Authority notes that the Draft Ballinasloe Local Area Plan 2022-2028 does not prohibit the issues raised within this submission such as encouraging sustainable travel, and the policy provision within the County Development Plan further supports these proposals in principle.

			<p>Chief Executive’s Recommendation: No Change</p>
14	BTCRG	<p>It is requested that a recent zoning change (area plan reference MA28) from business/enterprise to commercial/mixed use is reverted to business/enterprise to protect the integrity and viability of the town centre.</p>	<p>Chief Executive’s Response: Submission noted. It is considered that this amendment has the potential to undermine and detract from the revitalisation of the town centre contrary to NPO 6 and RPO 3.1 and would be consistent with the strategic aims of the Draft LAP which seek to provide for sustainable compact growth and BKT 9 that seeks to ensure that Ballinasloe Town Centre will remain the primary focus for the location of new retail and commercial development.</p> <p>Chief Executive’s Recommendation: MA 28: Revert to the provisions of the Draft Plan where these lands were zoned Business and Enterprise.</p>

Change LUZ To: Business & Enterprise

