

COMHAIRLE CHONTAE NA GAILIMHE GALWAY COUNTY COUNCIL

MINUTES OF THE CONAMARA ELECTORAL AREA MEETING HELD ON 19TH FEBRUARY, 2009, IN ÁRAS AN CHONTAE

ILÁTHAIR:-

Baill: Comh. S. Ó Tuairisg, Cathaoirleach
Cllr. S. Kyne
Cllr. T. Welby
Cllr. S. Walsh
Cllr. J. Conneely

Oifigigh: Mr. J. Morgan, Director of Roads & Transportation Unit
Mr. M. Owens, Senior Executive Officer, Roads & Transportation Unit
Ms. C. McConnell, Senior Planner, Planning & Sustainable Development Unit
Ms. M. Flynn, Executive Planner, Planning & Sustainable Development Unit
Ms. M. McGrath, Senior Staff Officer, Planning & Sustainable Development Unit

- 1. To consider the Manager's Report on submissions received on the Draft Clifden Local Area Plan prepared as per Section 20 (3) (d) (i) of the Planning & Development Act 2000, as amended**

Comh. Ó Tuairisg invited Ms. McConnell to present the Manager's Report to the meeting. Ms. McConnell explained that the Draft Clifden County Development Plan was on public display for 6 weeks from 31st October 2008 to the 12th December 2008 during which time 34 submissions were received. She added that a Report was prepared by Ms. Flynn on the submissions received which gives a synopsis and the Manager's Recommendation on each submission. Ms. McConnell stated that consideration of the Manager's Report should be carried out in accordance with the principles of proper planning and sustainable development.

Ms. McConnell then invited Ms. Flynn to present the Manager's Report to the Members for their consideration.

Ms. Flynn began by presenting an amended map of the Distributor Road indicating an up- to-date line.

On the proposal of Cllr. Conneely and seconded by Cllr. Walsh, it was agreed to accept the amended map indicating the full length of the Distributor Road.

Ms. Flynn explained that a buffer zone map from the Water Services Section indicating a 100m buffer from the existing treatment site would be presented to them at the Council Meeting on the 23rd February, '09 and which would clarify the position of the buffer zone.

Ms. Flynn also explained that an Appropriate Assessment would have to be carried out on the Plan under the EU Habitats Directive to establish the effects the Plan would have on the environment. Ms. McConnell explained that there were two SACs within the Plan area - the Owenglen River and the Conamara Bog Complex which must be protected.

Ms. Flynn commenced the consideration of the Manager's Report with Submission No 1 as follows:

SUBMISSION No. 1

Submitted by:

Property Manager, E.S.B. Lower Fitzwilliam St., Dublin

Synopsis:

The E.S.B. is happy with the Industrial zoning of their lands at Galway Road, Clifden "as it is consistent with existing and possible uses on the site."

Response:

No Response required

Recommendation:

No change to be made to Draft Clifden LAP

On the proposal of Cllr. Conneely and seconded Cllr. Walsh, it was agreed to accept the recommendation in the Manager's Report.

Ms. Flynn continued with Submission No 2

SUBMISSION No. 2

Submitted by:

Mr. Pat Lyne, Station House Museum, Clifden

**And
Combe Cottage,
(Chiltern Stud)
Combe Books,
Presteigne
Powys LD 2HL**

Synopsis:

Mr. Lyne is the Curator of the Station House Museum which is located in the original engine shed at the end of the Clifden line. He wishes to endorse Objectives UR7 and T1 in relation to provision of signage of a directional nature to the Museum. There is no Objective UR7 in the Draft Plan which is relevant. Mr. Lyne is probably referring to Objective EIT7 which is relevant and reads -

"Provide good clearly defined walkways around the town including the section of the old Railway line (see Urban Design Framework), to be accompanied by clear artistic_innovative minimalist signage and accompanying booklet/guide. Improve popular walking from an amenity and safety point-of-view, and provide new routes along agreed lines of choice."

Objective T1 under the Transportation heading reads:

"Continue to implement the Traffic Management Plan for Clifden".

It is **Objective T2** which is relevant to this Submission which reads:

"Improve road/pedestrian signage"

H Eng/Conamara Area Meetings/Minutes 2009-3-/Minutes of 19-02-2009

Response:

This is an affirmation of proposed Objectives. Independently of the Town Plan Review - at present - a Town Trail is being prepared as a Tourism initiative by the Community and Enterprise Department. The proposal is being referred to Ms. Eimear Dolan of that Department.

Recommendation:

No change to be made to Draft Clifden LAP.

On the proposal of Cllr. Conneely and seconded Cllr. Walsh, it was agreed to accept the recommendation in the Manager's Report.

SUBMISSION No. 3

Submitted by:

Ms. Fiona Holland, Senior Executive Engineer, Water Services, Galway County Council.

Synopsis:

1. Typing error noted Section 1.6, page 5 "*population 355*"
2. (a) Suggested Change to Section 2.4 - Water and Drainage, Page 11 involving rewording of paragraph 1. Change paragraph 1 from

"Clifden is served by the Clifden Regional Water Supply Scheme. This is a large scheme serving the town and environs and extending southwards to Ballyconneely and northwards to Claddaghduff. In relation to the Clifden Regional Water Supply Scheme, a supplementary report to the preliminary report was submitted to the Department of Environment Heritage and Local Government in December 2007."

To

"Clifden Town is currently served by the Clifden Water Supply Scheme. This scheme is at capacity and requires upgrading. A capital project in the form of Clifden regional Water Supply Scheme is on the Department of Environment Heritage and Local Government Water Services Investment Programme.

This proposed scheme is a large scheme extending southwards to Ballyconneely and northwards to the Tullycross area. The current status of the proposed regional scheme is that a supplementary report to the preliminary report was submitted to the Department of the Environment, Heritage and Local Government in December 2007. Galway County Council is currently awaiting approval to proceed with the scheme."

- (b) Suggested change to final paragraph (2.4)

From

"The current programme has an estimated commencement of construction as June 2009 and estimated completion of June 2010"

To

"The current programme relating to stage 1 of the Clifden Sewerage Scheme has an estimated commencement of construction as June 2009 and estimated completion as June 2010"

3. Revised wording to Section 3.6, policy 3.6.10

From

“Ensure that all dwellings have an appropriate wastewater treatment system which is correctly installed and maintained”

To

“Ensure that all dwellings that cannot connect to the public mains sewer have an appropriate wastewater treatment system which is correctly installed and maintained”

4. In Section 3.6.17 – Objective W2, page 24 - removal of reference to Tertiary treatment, as treatment may not be Tertiary. Tertiary treatment is not planned at the moment, but is allowed for in case it is needed in the future. So word as follows:

W2 *Provide a new/upgraded wastewater collection and treatment system. See location, Maps Nos. 1, 2, and 4*

5. Maps/Outline of treatment plant is too large. The 100m buffer should be taken from the main part of the site and not the access roadway.

Response:

1. There is a typing error. The figure should read 1,355 as in Table 1.2
2. (a) Agree change
(b) Agree change
3. Agree change
4. Agree omission
5. Agree change

Recommendation:

1. Typing correction /change to be made to Draft Clifden LAP accordingly.
2. (a) Change accordingly
(b) Change accordingly
3. Change accordingly
4. Omit accordingly
5. Change accordingly. Maps now show site -existing and proposed extended area (minus access road), and shows 100m buffer taken from centre of site.

On the proposal of Cllr. Conneely and seconded Cllr. Walsh, it was agreed to accept the recommendation in the Manager’s Report.

Cllr. Conneely requested that the boundaries of the buffer zone be tightened and also the exact location of the Treatment Plant be indicated.

SUBMISSION No. 4

Submitted by:

Mr. Richard Bartley, Brookside Hostel, Fairgreen, Clifden, Co. Galway

Synopsis:

Mr. Bartley requests that the Draft Development Plan proposed zoning for his property be changed from “Community facilities” to “Town Centre” zoning”.

Mr. Bartley, owns this site for 35 years and has resided there for 17 years whilst building both the property and hostel business for the latter length of time. He considers that the zoning “community facilities” will restrict proposals for the site for himself and his family (This zoning, he states came into being in the last Clifden Plan). He also considers the zoning to have an inherent affect on the property value.

He also makes the point that he has paid commercial rates for the last 17 years on this property.

The reason that this property was zoned as it is zoned viz. “community facilities” is because of its forming part of the “Showground’s” block and original Fairgreen area.

Response:

This is considered to be a reasonable request, given the use of the site for a protracted period, and given the commercial nature of the activity on site.

Recommendation:

Rezone accordingly.

On the proposal of Cllr. Conneely and seconded Cllr. Walsh, it was agreed to accept the recommendation in the Manager’s Report and to zone the lands the subject of Submission 4 from community facilities to town centre zoning.

SUBMISSION No. 5

Submitted by:

Mr. Michael O’ Donnell, Dooneen, Clifden, Co. Galway

Synopsis:

Mr. O’ Donnell states that there is no mains water supply, no sewerage, and no public lighting serving this area of Dooneen, Ardbear (Ballyconneely Road), and he points out that telephone and electricity lines serving other houses in the area cross his land. He proposes that no other development be carried out in this area until the “services issue is looked at”

Response:

The proposed zoning in this area is agricultural as shown on Map 1 (Zoning proposals) apart from the existing residential zoning (including Mr. O’Donnell’s property). Any residential development in the agriculturally zoned area will be restricted as per Land Use Zoning Objectives (Appendix1/ Zoning Matrix Footnote **, page 78)

Recommendation:

No change to be made to Draft Clifden LAP.

On the proposal of Cllr. Conneely and seconded Cllr. Walsh it was agreed to accept the recommendation in the Manager’s Report.

Ms. Flynn summarised the content of Submission No 6 and outlined the recommendation in the Manager’s Report as follows

H Eng/Conamara Area Meetings/Minutes 2009-3-/Minutes of 19-02-2009

SUBMISSION No. 6

Submitted by:

Mr. Ivor Duane, Galway Road, Clifden

Synopsis:

Mr. Duane requests that lands in his ownership on the Galway Road (N59) (directly adjoining to the South of N59) be rezoned from Agricultural to Light Industrial /Commerical.

Response:

An adequate and increased supply of Industrial zoned lands has been zoned within the Clifden LAP area to serve the needs of the town up to and including 2015. Objective EIT4 (Enterprise, Industry and Tourism) requires the Council to "Service and assist, within the limits of available finance, land identified for local enterprise centres within Clifden so as to facilitate affordable workspace for new business start-ups". To extend resources beyond additional and pre-existing zoning would be to dissipate resources in an unsustainable fashion.

The site lies outside the speed limit.

The site is located on the N59, adjoins the Owenglin River, and is immediately adjacent on the South and West to SAC Twelve Bens/Garraun Complex lands. The site directly adjoins the SAC (Twelve Bens/Garraun Complex) boundary in the form of the Owenglin River valley. The Owenglin River forms part of the Twelve Bens/Garraun Complex Special Area of Conservation, and is an internationally important site for nature conservation.

The use proposed may be detrimental to the conservation of the SAC, and may trigger the need for Strategic Environmental Assessment and Appropriate Assessment if rezoned.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr. Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 6 from Agricultural to Enterprise/ Industry.

Ms McConnell also advised the members against this zoning due to its proximity to the Owenglin River which adjoins the SAC boundary and that such zoning may have serious consequences for this area and may also result in the preparation of an Appropriate Assessment of the development proposals within the Plan. She explained that this could have serious issues for the Plan

Ms. Flynn also made reference to the zoning proposal in Submission No 7.

Cllr. Kyne stated that Light industrial/commercial zoning is always being promoted.

Ms. McConnell stated that there are large areas within the plan area already zoned for Light industrial/commercial zoning

Ms. Flynn summarised the content of Submission No 7 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 7

Submitted by:

Mr. Ivor Duane, Galway Road, Clifden

Synopsis:

Mr. Duane requests that lands in his ownership adjoining the N59 (to the North) which are zoned "Industrial" are rezoned as Residential. This is a converse request to his submission No. 6, which requested that lands zoned "agricultural" be zoned "industrial". He states that the existing use in this area is predominantly residential and he feels that this would not be in keeping with the area to introduce industry.

Response:

1. Lands in this area have been zoned "industrial" since the last Local Area Plan. The area of lands zoned "industrial" has simply been extended to cater for new industry and enterprise.
2. It is not envisaged that any heavy industry will be likely to seek location in the Clifden LAP area, and such an application, should it be made, would be decided upon in the interests of the proper planning and development of the area. For the same reason it is accepted that the "industrial" zoning can adjoin both existing and proposed residential uses.
3. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
4. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
5. In order for Clifden to become relatively self sustaining, employment opportunities must be created within the plan boundary. The County Council recognises that the Plan cannot by itself create employment but that all aspects of the Plan can influence job creation. Hence it is imperative that industrial and enterprise development be accommodated within the plan boundary.

Recommendation:

No change to be made to Draft Clifden LAP

Cllr Conneely explained that Clifden town has remained the same for years and added that much of the residentially zoned land in Clifden was unsuitable for development.

He added that there wasn't 40 hectares of zoned land in Clifden suitable for development.

He also referred to the poor condition of the Spires Housing estate and added that this land was not suitable for residential zoning and further added that Galway County Council would now have to take over this estate.

Ms McConnell referred to the recently circulated Minister Guidelines on Sustainable Residential Development in Urban Areas which indicate a more conservative approach to zoning including the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport.

Ms McConnell pointed out that the zoning of these lands would result in an isolated piece of residential land being positioned between two areas of industrial zoned land. She added that it was not suitable for residential zoning and that it would reduce the amount of available lands for industry.

It was proposed by Cllr. Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 7 from Enterprise/Industry to Residential.

Ms. Flynn summarised the content of Submission No 8 and outlined the recommendation in the Manager's Report as follows,

SUBMISSION No. 8

Submitted by:

John and Mary Joyce, Tullyvoheen, Clifden

Synopsis:

Mr. and Mrs. John and Mary Joyce have requested a change from industrial to residential zoned land at owned lands at Tullyvoheen. They have not stated a reason for their request. A small part of the lands shown on the map submitted (at the North-Eastern tip) are in fact zoned agriculture.

Response:

1. These lands were zoned industrial in the previous Clifden LAP. Such a land bank is considered necessary to provide for the enterprise and industrial development of the town during the period of the Plan. In order for Clifden to become relatively self sustaining, employment opportunities must be created within the plan boundary. The County Council recognises that the Plan cannot by itself create employment but that all aspects of the Plan can influence job creation. Hence it is imperative that industrial and enterprise development be accommodated within the plan boundary.
2. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
3. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr. Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 8 from Enterprise/Industry to Residential.

Ms McConnell also stated that these lands were situated in an area of particular sensitivity along the Owenglin River. Cllr Conneely stated that there was still Enterprise/Industry zoned land in the area and that much of the lands zoned for residential in Clifden were not suitable for development and would never be built on

Ms.McConnell suggested that for each new piece of land zoned residential, some of the residential lands that Cllr Conneely had suggested were not suitable for development should be dezoned. She added that it would be problematic getting the plan through the DoEHLG.

Cllr Conneely suggested that some of the residential zoning to the North of the Plan area could be dezoned. Ms McConnell stated that a map would have to be prepared showing this counterbalance.

Cllr Conneely added that it was explained at the workshop held in Clifden some time ago that the Enterprise/Industry zoning of these lands was not suitable at this location.

Ms. Flynn stated that from the submissions received on the Draft Clifden Local Area Plan there was a huge desire for space in Clifden for commercial and industrial activities.

Mr Flynn continued with Submission No 9 as follows:

SUBMISSION No. 9 (see also Submission No. 17)

Submitted by:

**Padraic and Mary Hynes,
Canal Stage,
Recess,
Co. Galway**

Submission made by/on behalf of the above

**Patricia Calleary, Planning Consultant & Chartered Engineer,
Dillon Terrace,
Ballina,
Co. Mayo**

For lands: Ardbear, Clifden. (Same lands/same name of persons submitting as in Submission No. 9)

Synopsis:

The submission requests a change of zoning from agriculture to residential.

Response:

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.
4. The site itself as described in the submission is "characterized by a steep steady increase in land levels "Development on this land would be injurious to Amenity values of this main tourist approach road to Clifden (from Ballyconneely/Roundstone).

Recommendation:

No change to be made to Draft Clifden LAP

Ms. Flynn reminded the Members that residential development within the area zoned agriculture will be restricted to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area.

It was proposed by Cllr. Conneely and seconded by Cllr. Walsh, to accept the recommendation in the Manager's Report.

Ms. Flynn summarised the content of Submission No 10 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 10

Submitted by:

NRA

**St. Martin's House,
Waterloo Road,
Dublin 4.**

Synopsis:

The Submission is divided into two main categories: **Development Strategy and National Roads & Specific Policies and Objectives**

Under each main heading the NRA comment as follows.

Development Strategy and National Roads

- *Planned road improvements*

The NRA notes the proposed distributor road, and has an issue with its indicative access in 100 km speed limit area along the Galway Road, and recommends a strategic transport assessment.

- *Protection of existing national routes*

The NRA requests a clear statement indicating that access to the national route (N59), outside areas where the 50kph speed limit applies will be restricted.

And under

Specific Policies and Objectives

- *Traffic Transport Assessment and safety Audit*

The NRA requests that TTA (Traffic and Transport Assessment) and RSA (Road Safety Audit) be requested for all significant developments impacting on the national road network and not only commercial developments as scheduled in Section 3 5.18.

- *Noise*

The NRA request that the Council provide for the requirements of S.I. No. 140 of 2006 Environmental Noise Regulations in the LAP.

- *Retailing and Economic Development policies*

The NRA request a policy position to restrict direct access to the national secondary road outside 50kph

Response:

Development Strategy and National Roads

- *Planned road improvements*

The distributor road which is shown thematically on the plans is the same road as included under Objective T7. The detailed design for this route has not yet been completed but it is noted that the lands closer to Clifden on the northern side of the existing N59 Galway approach are subject to steep contours and unsuited for any distributor/bypass road. Therefore this road is shown at a location on the N59 Galway approach where contours are less severe. This route will be subject to Part 8 planning process in due course and will include Safety Audit and TIA. This route will have a dual function in that it will provide a relief/bypass for Clifden as well as opening up lands in order to stop ribbon development on the existing N59 national approach roads. It should be noted that Clifden does not have a network of local roads to accommodate in depth development and this bypass/distributor/relief road provides the catalyst for the development of such facilities. It is desirable to have future development to the east of the town in order to reduce through traffic from the congested town centre. The Regional Road to Ballyconneely and the Sky road are the only other roads in Clifden and are not suitable for development. The traffic volumes on the existing N59 into Clifden Town could be reduced from their present level around 6000 AADT to 3000 on each of the routes. This indicative level of traffic is at the very lowest level nationally and development due to zoning in such a peripheral area as exists at Clifden would not create any impact on the capacity of the N59. The capacities of the existing N59 approaches into Clifden are approximately 13,800 AADT. It is not reasonable to request cumulative assessments of impacts from such a proposed bypass/relief/distributor route in association with the zonings included in the Plan, as none will have any negative significance in the aforementioned capacity: usage context.

- *Protection of existing national routes*

The Policies for Access to National routes for Residential, Retail and Economic Development are included in the CDP and are not repeated in the LAP.

Roads in peripheral areas such as Clifden have little strategic relevance for inter-urban and inter-regional transport requirements. Clifden is 45 miles from the Galway City Gateway and further from the Hubs of Ballina and Sligo. The goal of this Plan is to encourage development and not to restrict it. The role of the N59 in the context of Clifden is more related to encouraging development versus retaining capacity on the route as capacity is in the region of 400% of usage.

Specific Policies and Objectives

- *Traffic Transport Assessment and safety Audit*

The Policies for Safety Audits and Traffic Impact Assessments are included in the CDP and are not repeated in the LAP.

- *Noise*

Galway County Council has included Policies and Plans in relation to transportation noise mitigation in the CDP and these are not repeated in the LAP.

- *Retailing and Economic Development policies*

The Policies for Access to National routes for Residential, Retail and Economic Development are included in the CDP and are not repeated in the LAP.

Recommendation:

No change to Clifden Draft LAP

On the proposal of Cllr. Conneely and seconded by Cllr. Walsh it was agreed to accept the recommendation in the Manager's Report

Ms. Flynn summarised the content of Submission No 11 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 11

Submitted by:

Mr. Aidan O' Halloran,

C/O Mr. Colm O' Riain,
Mayoralty House,
Flood Street,
Galway

Synopsis:

The submission requests that the lands shown be rezoned from agriculture to residential. The submission refers to site location, development context, and zoning option. A planning application for a house on this site made by the person who made this submission was withdrawn in 2002 (Reg. ref. No. 02/2792)

Response:

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only

Recommendation:

No change to Draft Clifden LAP

It was proposed by Cllr Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 11 from Agricultural to Residential.

Ms McConnell referred to page 78 of the Draft Clifden Plan and stated that provision had been made in the Plan to allow people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area to get planning permission on agriculturally zoned land. She added that there was no requirement to have these lands zoned residential.

Ms. Flynn summarised the content of Submission No 12 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 12

Submitted by:

Mr. Leo Mansfield,
Clifden

Lands at: Clifden (Harbour area)

Submission made by /on behalf of the above

Mr. Mark Whittaker, Senior Project Planner,
McCarthy Keville O'Sullivan,
Planning & Environmental Consultants,
Block 1,
G.F.S.C.,
Moneenageisha Road,
Galway

Synopsis:

The submission requests a change of zoning from agriculture to residential/retail.

Response:

Re: Residential Uses

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

Re: Retail Use

Objective RA7 seeks to "Improve the amenity of the Quay and Harbour area by limiting development in the area to small scale projects to service and enhance its use as a public amenity area, and by upgrading and designing for good renewal works". Retail use is not considered to be a service which would enhance the public amenity of the Harbour area. The site is not contiguous with the Town Centre, but is removed from same.

Furthermore **Policy 3.10.7** states that it is a policy of the Plan to “*Support the role of the Town Centre as the principal commercial area within the town*”

Policy 3.10.21 states as a policy of the Draft Plan “*encourage commercial development and services for tourists to locate within the Town Centre*”. The proposal to locate such services in an amenity area is contrary to the policies of the Plan.

The site itself is steep and exposed over the Harbour area. Development on this land would be injurious to amenity values of the Harbour area.

Recommendation:

No change to be made to Draft Clifden LAP

Cllr Conneely explained that there are buildings and housing already in this area of the harbour.

Ms McConnell stated that there are a small number of mature properties on large grounds in this area and that it makes absolutely no sense to have retail/ residential zoning at this location which was remote from the town centre.

Ms. Flynn also referred to Objective RA7 in the Draft Clifden Plan “*Improve the amenity value of the Quay and Harbour area by limiting development in the area to small scale projects to service and enhance its use as a public amenity area and by upgrading and designing for good renewal works*” She added that the Harbour should be made available to the general public. She explained that there was no new development at this location, it was a pristine harbour and it would be an absolute a shame to destroy it. She added that this unique public space should be protected.

It was proposed by Cllr Conneely and seconded by Cllr Walsh to prepare a Masterplan for the Harbour area including the handball alley.

Ms McConnell stated that it was premature to zone the lands and suggested doing the Masterplan first.

Ms. Flynn added that by zoning these lands, an expectation was being given that planning permission would be possible when it may not be possible as the site is steep and exposed over the Harbour and development on this land would be injurious to amenity values of the Harbour.

It was proposed by Cllr Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager’s Report and to zone the lands the subject of Submission No 12 from Agricultural to Residential/Retail.

Ms. Flynn summarised the content of Submission No 13 and outlined the recommendation in the Manager’s Report as follows

SUBMISSION No. 13

Submitted by:

**Mr. Sean Flynn,
Clifden**

Lands at: Westport Road

Submission made by/on behalf of the above

**Mr. Mark Whittaker, Senior Project Planner,
McCarthy Keville O’Sullivan,
Planning & Environmental Consultants,
Block 1,
G.F.S.C.,
Moneenageisha Road,
Galway**

Synopsis:

The submission requests a change of zoning from agriculture to low density residential.

Response:

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

Recommendation:

No change to be made to Draft Clifden LAP

Cllr Conneely state that there were two houses already built on these lands.

It was proposed by Cllr Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 13 from Agricultural to Low density Residential.

Cllr Conneely declared an interest in the lands the subject of Submission No 14 absented himself from the meeting

Ms. Flynn summarised the content of Submission No 14 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 14

Submitted by:

Mr. Joe Glynn,

Lands at: Ardbear,

Submission made by/on behalf of the above
Mr. Mark Whittaker, Senior Project Planner,
McCarthy Keville O'Sullivan,
Planning & Environmental Consultants,
Block 1,
G.F.S.C.,
Moneenageisha Road,
Galway

Synopsis:

The submission requests a change of zoning from Agriculture in the current Clifden Local Area Plan and Recreation and Amenity in the Draft Town Plan to Town Centre zoning.

Response:

Objective RA 13 is to *“provide for the development of the Waterfall and bridge area on the Ballyconneely Road as a small Town Park with special emphasis on passive amenity/meditation garden/facility for the elderly”*. The proposed development of this contiguous site would not be consistent with this Objective.

The site overlooks Ardbear Waterfall, and Ardbear Bridges, in a highly visible and accessible amenity area of the town, close to the Old Gaol/Bridewell.

The site directly adjoins the SAC (Twelve Bens/Garraun Complex) boundary in the form of the Owenglin River valley. The Owenglin River forms part of the Twelve Bens/Garraun Complex Special Area of Conservation, and is an internationally important site for nature conservation.

The site has historic connotations insofar as part of the existing house on the site is reputed to be one of the first houses built by the D'Arcy family for a Sawmill employee. The area was also the general area of a “Monster Meeting” organised by Daniel O'Connell in 1843.

Moreover, being on the Southern side of the river, the site is distinct and separate from the designated and existing “Town Centre”. There is no precedent for Town Centre development geographically in this separate area, nor is there any need, given the lands within the centre which remain undeveloped. For example **Policy 3.10.5** promotes the redevelopment of derelict, obsolete and brownfield sites within the existing and designated Town Centre. Such should be the emphasis of Town Centre development in anticipation of any long term plans for enlargement of the zoned area.

The bridge and road network in the area of the site are unsuitable for Town Centre usage.

The site is highly visible from the tourist route Ballyconneely Road, and development would interfere with the visually pleasing and rural approach to the town from the South West.

Note: The submission incorrectly states that there was a previously granted planning permission reference number 62404 on the site “to demolish and construct 4 number dwelling units.” The permission was to extend the existing house and convert into 4 studio flats. Another recent application for apartment development on site was withdrawn (06/2156) in 2006.

Recommendation:

No change to Clifden Draft LAP

It was proposed by Cllr S. Walsh and seconded by Cllr. Kyne not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 14 from Recreation and Amenity to Town Centre zoning.

Cllr. Kyne stated that there was existing development on this site.

Ms. Flynn stated that by allowing Town Centre development on this site would compromise the historical and amenity value of the area.

Ms. Flynn referred to Submission number 16 where the Council was praised for the proposed Recreation/Amenity zoning of this area in the Draft Clifden Local Area plan.

Ms. McConnell added that by developing the waterfall area would enhance the visual amenity and tourism value of the area for the people of the town to enjoy. She added that the character of the town would be destroyed by Town Centre development in terms of character and enjoyment

It was agreed to defer a decision on the issue to the Council Meeting on Monday 23rd February, '09.

Ms. Flynn summarised the content of Submission No 15 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 15

Submitted by:

Mr. Vincent Finn.

Lands at: Tullyvoheen Clifden

Submission made by/on behalf of the above

Mr. Mark Whittaker, Senior Project Planner,

McCarthy Keville O'Sullivan,

Planning & Environmental Consultants,

Block 1,

G.F.S.C.,

Moneenageisha Road,

Galway

Synopsis:

The submission requests a change of zoning from agriculture to "enterprise and industrial"

Response:

An adequate and increased supply of Industrial zoned lands has been zoned within the Clifden LAP area to serve the needs of the town up to and including 2015. **Objective EIT4** (Enterprise, Industry and Tourism) requires the Council to "*Service and assist, within the limits of available finance, land identified for local enterprise centres within Clifden so as to facilitate affordable workspace for new business start-ups*". To extend resources beyond additional and pre-existing zoning would be to dissipate resources in an unsustainable fashion.

The site adjoins the Owenglin River, and is immediately adjacent on the South to SAC Twelve Bens/Garraun Complex lands. The site directly adjoins the SAC (Twelve Bens/Garraun Complex) boundary in the form of the Owenglin River valley. The Owenglin, River forms part of the Twelve Bens/Garraun Complex Special Area of Conservation, and is an internationally important site for nature conservation.

The use proposed may be detrimental to the conservation of the SAC.

Access via the "Low Road" is unsuitable for commercial/industrial traffic. There is no frontage to the N59. Lands adjoining the Low Road with industrial designation also have N59 frontage. The use

proposed may be detrimental to the conservation of the SAC, and may trigger the need for Strategic Environmental Assessment and Appropriate Assessment if rezoned

Recommendation:

No change to be made to Draft Clifden LAP

Ms McConnell also added that there was not a suitable access to these lands for this type of zoning. She also added that an Appropriate Assessment as per the EU Habitats Directive will have to be carried out. It will be necessary to prove that the development plans' policies and objectives would not have any negative impacts on the environment. The burden of proof will be on the Council to prove that the proposed zonings will not have negative effects on the Owenglin River

Ms McConnell stated that the National Parks and Wildlife have already questioned lands zoned Recreation and Amenity along the Owenglin River where it may have a negative impact when the Appropriate Assessment is carried out.

Cllr Conneely stated that it was the function of the Elected Members to make plans and added that it was their responsibility to represent the people of Clifden.

It was proposed by Cllr Conneely and seconded by Cllr. Walsh not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 15 from Agricultural to Enterprise/Industry.

SUBMISSION No. 16

Submitted by:

**Mr. Pdraigh O Seanachain,
Waterfall House,
Doonen Road,
Clifden**

Synopsis:

Mr. O Seanachain's submission deals with the proposed rezoning by Galway County Council of the area of land beside the Waterfall from Agriculture in the existing Clifden LAP to Recreation and Amenity in the current Draft Clifden LAP. He states that he is "delighted to see that (Galway County Council) plan to provide for the development of the Waterfall and Bridge as a small Town Park. He elaborates on the heritage advantages of such a rezoning by the local authority.

Response:

Affirmation of the Clifden LAP by a member of the public is noted and welcomed.

Recommendation:

No change to be made to Draft Clifden LAP

It had already been agreed to rezone the land the subject of this submission from proposed Recreation & Amenity to proposed Town Centre (submission 14)

SUBMISSION No. 17 (see also Submission No. 9)

Submitted by:

**Padraic and Mary Hynes,
Canal Stage,
Recess,
Co. Galway**

Submission made by/on behalf of the above

**James B. Joyce,
Solicitors,
Clifden**

For lands at: (same lands/same name of persons submitting as in Submission No. 9)

Synopsis:

The submission requests a change of zoning from agriculture to residential.

Response:

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.
4. The site itself as described in the submission is "characterized by a steep steady increase in land levels "Development on this land would be injurious to Amenity values of this main tourist approach road to Clifden (from Ballyconneely/Roundstone).

Recommendation:

No change to be made to Draft Clifden LAP

This submission was already dealt with under submission No 9

SUBMISSION No. 18

Submitted by:

**Ms. Mairin Duddy, Architectural Conservation Officer,
Galway County Council**

Synopsis:

1. The submission notes that a Map to show all Protected Structures is required (i.e. all Protected Structures within the LAP boundaries), as the Draft Plan Map no.3 only shows those Protected Structures within the ACA (Architectural Conservation Area).
2. It is noted also that the RPS No. 817-The Rectory is mapped as being in the location of the present day Rectory, which Rectory is a modern building of no architectural merit. It is recommended that it be removed from the Map and from Table 2.2

Response:

Such a Map No. 3 (a) is being inserted. And Protected Structures which are shown on Existing Map 1 (Natural Heritage and Archaeology) are being removed from that Map.

RPS No. 817 is being removed from Maps 3 and Map 3 (a).

Recommendation:

Changes to be made to Draft Clifden LAP as noted above in "Response".

On the proposal of Cllr Welby and seconded by Comh O'Tuairisg it was agreed to accept the recommendation in the Manager's Report.

SUBMISSION No. 19

Submitted by:

**Mr. Tom Healy
Chartered Consulting Engineer,
Clifden**

Synopsis:

The submission refers to the sustainability of redeveloping sites/properties within the town centre with a view to consolidation, and notes a drop in plot ratio between the Draft Plan and the previous LAP. It states that there should be a presumption in favour of such sites, with regard to flexibility of standards.

It also refers to development standards on zoned lands and states that e.g. 11m back garden is reasonable and depths greater than this may be too restrictive.

Response:

There is a presumption in favour of brownfield sites, and each case will be taken on its individual merits. It is not intended to relax standards within the Draft Plan

Recommendation:

No change to be made to Draft Clifden LAP

On the proposal of Cllr Conneely and seconded by Cllr. Walsh it was agreed to accept the recommendation in the Manager's Report.

Ms. Flynn summarised the content of Submission No 20 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 20 (See also Submission NO. 21 adjacent)

Submitted by:

Mr. Tom Kearns,

Lands at: Cloghaunard Townland, Clifden, Co. Galway.

Submission made by/on behalf of the above

**Mr. Colm O' Riain and Associated Architects,
Mayoralty House,
Flood St.,
Galway**

Synopsis:

The submission requests a change of zoning from part agriculture/part residential to residential only on lands within the LAP boundary, but within an area of agricultural zoning (with the exception of minimal residential zoning which accommodates existing houses and their curtileges).

Response:

Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).

1. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
2. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre.

As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

The site itself is steep and exposed, and development in this area would be injurious to amenity values on the approach to and from the Sky Road and the surrounding areas. Existing residential zoning in this area is existing residential uses.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr Conneely and seconded by Cllr. Walsh not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 20 from part Agricultural/part Residential to Residential.

Ms McConnell stated that if these lands are zoned for residential development it would be seriously injurious to the amenity landscape and tourism of the area and stressed that these lands should not be zoned.

Cllr Conneely stated that the Sky Road area is very built up and a sought after area close to the town.

Ms. Flynn summarised the content of Submission No 21 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 21 (See also Submission NO. 20 adjacent)

Submitted by:

Mr. Tom Kearns,

Lands at: Cloghaunard Townland, Clifden, Co. Galway

Submission made by/on behalf of the above

Mr. Colm O' Riain and Associated Architects,

Mayoralty House,

Flood St.,

Galway

Synopsis:

The submission requests that this land outside the proposed Clifden LAP boundary be zoned for residential usage. It further suggests that a new Plan boundary line be adopted for the LAP basically, (although it states that the boundary is "outdated and arbitrary") to facilitate this zoning. It also suggests "a new 30 mile traffic limit be adopted to control and order development pressure along this high profile hinterland of Clifden Town."

Response:

The LAP is the mechanism to promote best practice in planning in the Clifden LAP area. The area outside the speed limit is subject to the policies of the County Development Plan.

To use a speed limit mechanism to control development is not good practice.

The lands are outside the LAP Boundary, and are therefore subject to the provisions of the County Development Plan.

1. Additional rezoning for residential uses inside the existing LAP area is unjustified. To extend the boundary to accommodate additional residential uses is equally unnecessary and unsustainable. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).

2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned “agriculture” where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. “Immediate family” refers to sons and daughters. “Immediately surrounding area” shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

The site itself is steep and exposed, and development in this area would be injurious to amenity values on the approach to and from the Sky Road and the surrounding areas. Existing residential zoning in this area is existing residential uses.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr Conneely and seconded by Cllr. Walsh, not to accept the recommendation in the Manager’s Report but to extend the plan boundary and to zone the lands the subject of Submission No 21 Residential.

Ms. Flynn summarised the content of Submission No 22 and outlined the recommendation in the Manager’s Report as follows

SUBMISSION No. 22 / See also Sub. NO. 34

Submitted by:

**Dr. John Casey
Clifden**

Lands at: Beach Road: (same person and same lands as Submission No. 34)

Submission made by/on behalf of the above in this submission, No. 22

**Mr. Colm O’ Riain and Associated Architects,
MayoraltyHouse,
Flood St.,
Galway**

Synopsis:

The submission requests a change of zoning from Agriculture to Residential and Amenity use.

Response:

Re: Residential Uses

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

Re: Amenity Uses

Certain uses which would have an Amenity aspect are open to consideration within an agricultural zoning (see Appendix 1). One example would be "Open space/Playing Pitch/Playground". Such application for usage of Amenity/Recreational nature would be taken on an individual basis on its own merits. However, it should be noted that lands specifically lending themselves to Amenity Recreational use have already been designated as such in the Draft LAP zoning proposals.

It should also be noted that these lands contains a house of significant architectural merit with attendant grounds.

The land also contains trees of note and distinction, especially in a local context. Objective H5 of the Draft LAP refers to the aim to retain such trees.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr Conneely and seconded by Cllr S. Walsh not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 22 from Agriculture to Residential/Amenity use

SUBMISSION No. 23

Submitted by:

**Forward Planning Section,
Planning and Building Unit,
Department of Education and Science,
Portlaoise Road,
Tullamore,
Co. Offaly**

Synopsis:

The submission details the method which the department uses to calculate the extent of primary and post primary provision in an area. It refers to issues of site suitability identification and the fact that existing schools will be required to cater for the educational needs of the existing population for the medium to the long term.

It also states that the existing schools should be protected for educational use into the future. It comes to the conclusion that, given these key pieces of information and applying them to the House Construction Allocations for the area as outlined in both the Draft Clifden Draft Plan, and the Draft County Plan that existing schools should be capable of catering for the increase in pupil numbers.

Response:

This is accepted as being the important input of the Department of Education.

Recommendation:

No change to be made to Draft Clifden LAP

On the proposal of Cllr Conneely and seconded by Cllr S Walsh it was agreed to accept the recommendation in the Manager's Report

Cllr Conneely stated that he would present a map to the Full Council meeting on 23rd February 2009 proposing lands for rezoning from low density residential to Community facilities.

It was proposed by Cllr Conneely and seconded by Cllr. Walsh to zone the lands from low density residential to community facilities as per the map to be presented to the Full Council meeting on 23rd February 2009.

----- ***Cllr Conneely***
declared an interest in the lands the subject of Submission No 24 absented himself from the meeting.

Ms. Flynn summarised the content of Submission No 24 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 24

Submitted by:

Mr. Josie Conneely

Lands at: Killymongaun, Clifden

Submission made by /on behalf of the above

**Mr. Mark Whittaker, Senior Project Planner,
McCarthy Keville O'Sullivan,
Planning & Environmental Consultants,
Block 1,
G.F.S.C.,
Moneenageisha Road,
Galway**

Synopsis:

The submission requests that this land (7 hectares) both inside and outside the Clifden LAP boundary, south of the N59 be zoned for residential usage. The land inside the boundary is zoned for agricultural purposes at present.

Response:

Approximately half (southern half) of this parcel of land is outside the LAP boundary, and forms part of lands subject to the provisions of the County Development Plan. The northern half is within the LAP boundary, and is zoned as agriculture. The lands have no public road frontage. There is an existing house on the lands. Both the lands and access to the existing house are completely outside the 60 km speed limit south of the N59. Any road access would therefore be outside the 60km speed limit.

The LAP is the mechanism to promote best practice in planning in the Clifden LAP area.

The lands are inside and outside the LAP Boundary.

1. Additional rezoning for residential uses inside or outside the existing LAP area is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site inside the LAP boundary is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

That part of the lands within the Clifden LAP boundary adjoins the Owenglin River, part of the SAC Twelve Bens/Garraun Complex lands, and is an internationally important site for nature conservation. The use proposed may be detrimental to the conservation of the SAC, and may trigger the need for Strategic Environmental Assessment and Appropriate Assessment if rezoned.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr. Walsh and seconded by Cllr. Kyne not to accept the recommendation in the Manager's Report and to zone the lands the subject of Submission No 24 that are inside the plan boundary from Agriculture to Residential and to extend the plan boundary and zone the lands outside the plan boundary Residential.

Cllr. Walsh referred to the residentially zoned lands to the immediate right of the map and added that these lands were further outside the town than the lands proposed for rezoning.

Ms. Flynn stated that the development referred to by Cllr. Walsh was a holiday home development and was built as such over 10 years ago.

Ms McConnell stated that it was an extremely difficult site to access. it was outside the 60km limit and would be subject to NRA policies. It is completely cut off from the town with no public lighting or footpaths. It could call into question the entire zoning of the Plan by zoning the lands inside or outside the plan boundary.

She added that the services were only extended out to pick up the Clifden Glen complex.

Ms. Flynn summarised the content of Submission No 25 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 25

Submitted by:

Mr. Martin Acton

Lands at: Ardbear, Clifden

Submission made by /on behalf of the above

Mr. Mark Whittaker, Senior Project Planner,

McCarthy Keville O'Sullivan,

Planning & Environmental Consultants,

Block 1,

G.F.S.C.,

Moneenageisha Road,

Galway

Synopsis:

The submission requests that this land (3.5 hectares) in the Clifden LAP, located on the Ballyconneely Road, currently zoned in the proposed Draft Clifden Plan for agriculture and for low density residential uses be zoned in full for low density residential usage. The lands have access to the main realigned Ballyconneely Road, and to a minor road to the south. Part of the lands zoned "agriculture" are within the buffer zone of the sewerage treatment plant. The landowner who submitted the submission states that he has agreed to transfer lands free of charge to the Council in order to facilitate a new sewage treatment plant at this location on the basis that the balance of his lands in the area be zoned in recognition of his offer of the lands free of charge to the Council.

Response:

The lands to the south of the land parcel are zoned for low density residential uses. However, with regard the remainder of the lands

1. Additional rezoning for residential uses in the LAP area is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The lands zoned low density can be developed for housing. Within the lands zoned "agriculture" residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre.

As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only

4. Cognisance will have to be taken of all requirements of the new waste treatment plant siting and buffer zone which is to be located on lands including the land in question. No rezoning which might prejudice this plant can be considered. All EPA and other requirements will require strict compliance.

Recommendation:

No change to be made to Draft Clifden LAP

It was proposed by Cllr Conneely not to accept the recommendation in the Manager's Report and to zone the lands the subject of the map presented to the meeting by Cllr Conneely from Agriculture to Low Density Residential.

It was agreed to defer the decision on this issue to the Council Meeting on 23rd February 2009 until a map indicating the position of the 100m buffer zone around the treatment plant is prepared.

Cllr Conneely declared an interest in the lands the subject of Submission No 26 absented himself from the meeting

Ms. Flynn summarised the content of Submission No 26 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 26

Submitted by:

Mr. Josie Conneely

Lands at: Rock Glen Country House Hotel, Faul & Ardbear, Clifden

Submission made by /on behalf of the above

**Mr. Mark Whittaker, Senior Project Planner,
McCarthy Keville O'Sullivan,
Planning & Environmental Consultants,
Block 1,
G.F.S.C.,
Moneenageisha Road,
Galway**

Synopsis:

The submission requests that these lands (4.7 hectares) in the Clifden LAP, located at Faul and Ardbear, currently zoned for agriculture be zoned for low density residential usage. The lands are located in the vicinity of the Rock Glen Country House Hotel.

The submission also requests that a specific objective be included in the Plan to widen and improve the Ardbear Road from its junction with the R431, Ballyconneely Road westwards to the Ardbear Cemetery and the subject lands.

Response:

The lands are isolated and distant from the town, with no adequate road network to serve the lands.

1. Additional rezoning for residential uses in the LAP area is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The lands zoned low density can be developed for housing. Within the lands zoned “agriculture” residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. “Immediate family” refers to sons and daughters. “Immediately surrounding area” shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only
4. With regard to the request to upgrade the minor road leading the *entire* way to the site -there is no justification for this, as it would be merely to serve unsustainable development.

Recommendation:

No change to be made to Draft Clifden LAP

Cllr Walsh explained that there were already 10 houses and a hotel at this location and that it was not a greenfield site. Ms McConnell explained that this was not normal residential development but tourism related. She also added that this zoning would seriously bring into question the validity of the plan.

She added that any additional residential zonings in Clifden were unnecessary based on the population projections for growth in Clifden.

It was proposed by Cllr. Walsh and seconded by Cllr. Kyne not to accept the recommendation in the Manager’s Report and to zone the lands the subject of Submission No 26 from Agriculture to Residential.

Ms. Flynn summarised the content of Submission No 27 and outlined the recommendation in the Manager’s Report as follows

SUBMISSION No. 27

Submitted by:

Spatial Policy Section

Dept. Environment, Heritage & Local Government;

Custom House,

Dublin 1

Synopsis:

Strategic Environmental Assessment and Appropriate Assessment

While the Draft Plan has been screened for Strategic Environmental Assessment (SEA) in accordance with the SEA Directive and following this screening the Planning Authority has decided that a full SEA is not required, the Council should fully satisfy itself, in consultation with the Environmental Authorities, that SEA is not required.

No Appropriate Assessment has been carried out on the Draft LAP. The Council are reminded of the Department's Circular Letter SEA 1/08 & NPWS 1/08 of February 2008, which highlighted obligations under the Habitats Directive and provided guidance on the issues which development plans and LAPs should address and, in particular, the need to undertake appropriate assessment under this Directive in relation to all Natura 2000 sites (e.g. SPAs, SACs, including any candidate sites) within the area covered by the Draft Plan, or areas *ex situ* that may be affected by the Plan. There are two SACs within the Plan area – the Owenglen River that forms part of the Twelve Bens/ Garraun Complex SAC and the Connemara Bog Complex which hosts 2 priority habitats listed on Annex 1 of the EU Habitats Directive - blanket bog and lagoons.

West Regional Planning Guidelines

The West RPGs development framework for the region divides the region into zones and each zone is identified by policy requirements relevant to the state of development of the zone. Clifden is located within Zone D. Key needs identified in the zone which are of particular relevance for the Clifden LAP are

- the promotion and consolidation of existing settlements through the provision of adequate water and waste water facilities
- Restriction of Holiday homes and second homes to identified areas
- Maintenance of natural environment in good condition to ensure no loss of biodiversity

Settlement Strategy

The vision for the town consistent with the RPGs is to enable it to grow in a sustainable manner so that it retains its character and continues to be an attractive place to live and visit. Policies and objectives should be reduced in number and focus more closely on core policies and objectives. This would enable the planning authority to monitor, more readily, the achievement of those core objectives as is recommended in Planning Guidelines

Population Projections

The projections for the area of the town within the LAP boundary taken from the Draft County Development Plan anticipate a growth of 250 new units (or 700 persons) to allow for population growth and holiday home development.

The Department considers that such targets for growth in the town are overly ambitious particularly in the absence of capacity in water treatment which will take a number of years to address. In addition to providing for the appropriate growth of the town regard must be had to the obligations on planning authorities under the Water Framework Directive (2000/60/EC) ensuring that all waters achieve at least "good status" by 2015.

The Directive will be implemented through a series of River Basin Management Plans due to be published for public consultation in 2008. It would be important that objectives in the river basin management plans inform the draft LAP and also that objectives in the Draft Plan support the preparation and implementation of the River Basin Management Plans.

Holiday Homes

The high figure for new households is partly accounted for by an anticipated growth in holiday homes/ second homes. The LAP however contains no specific policies or objectives in regard to the management of holiday homes / second homes. The importance of managing appropriate levels of holiday home development was highlighted in RPGs and followed through into the Draft County Plan.

The policy in Draft County Plan seeks to ensure that regard is had to the cumulative impact of holiday home development to ensure that such development is appropriate to the size and function of the settlement. The Department considers that it would be appropriate for the LAP for Clifden to include such an objective.

Zoning

The only new zoning proposed in the Draft Plan is to the south of the town near an existing school. It is understood that there is significant housing here already and also a GAA pitch and other community facilities.

The Department is concerned about zoning for further development in this area at the current time and in the absence of a phasing programme for the reasons as follows:

- The location is close to the Connemara Bog Complex SAC, which hosts 2 priority habitats listed on Annex 1 of the EU Habitats Directive - blanket bog and lagoons.;
- The town waste water treatment facilities are at capacity and any further residential zoning would be premature pending upgrading of sewage treatment facilities;
- The location is remote from the town centre and leapfrogs unzoned land closer to the town centre; and
- There appears to be significant amounts of land zoned and undeveloped within the town from the previous plan.

Architectural Heritage

The commitment of Galway County Council to the protection of the architectural heritage of the town as set out in the draft plan is welcomed.

It is considered that some of the text in Section 3.3. of the draft plan relating to protection of the architectural heritage within the town and its environs should be clarified and strengthened.

1. It is recommended that the reference in Policy 3.3.2 to Table 2.1 and Maps 3 and 4 is rechecked as the reference may be incorrect.
2. It is recommended that the text at Policy 3.3.3 and Policy 3.3.6 is reviewed and revised, viz.

3.3.3 *Prohibit developments which would destroy or damage, or cause inappropriate change to protected structures.*

3.3.6 *Resist the demolition of any building or item of Architectural significance, which is included in the Record of Protected Structures unless a conclusive case based on technical evidence is made for its alteration or removal."*

Both policies deal with works affecting protected structures and, as such, overlap.

Section 57(1) of the 2000 Planning and Development Act requires that planning permission is required for the carrying out of works to a protected structure if those works materially affect the character of the structure.

Section 2 of the 2000 Act defines the term 'works' as including -
"any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure".

In the case of Policy 3.3.3 and Policy 3.3.6 planning permission would be required in respect of the works referred to in each policy. It is recommended that the text is amended in this regard. It is also recommended that that the text is amended on account of it being inappropriate to include in a local area plan criteria for the demolition of protected structures, i.e. *"unless a conclusive case based on technical evidence is made for its alteration or removal."*

Section 57(10)(b) of the 2000 Planning and Development Act provides that permission may only be granted for the demolition of a protected structure or proposed protected structure in exceptional circumstances. Within the context of the proper planning and sustainable development of a locality there may well be a situation whereby exceptional circumstances do exist which would lead to the removal or demolition of a protected structure, or indeed any other structure of architectural heritage merit. This is recognised in Section 57(10)(b).

However the meaning of the term should be recognised for what it is, i.e. 'exceptional circumstances', and each instance must be judged on its own individual merits. It is inadvisable to include in a local area plan criteria for exceptional circumstances that justify the demolition of a protected structure. This includes offering examples of 'justification' for demolition such as condition or use.

It will not be possible to establish either on the part of the planning authority or the owner that a protected structure that a conclusive case *"based on technical evidence is made for its alteration or removal"*. An owner may show that the economic return on the expenditure made in returning the structure to a safe and usable condition may not warrant that expenditure.

However, that is a different issue to a structure not being capable of being repaired. It is a matter of taking each case on its own individual merits and determining if exceptional conditions exist.

Moreover, if the situation is so prevalent as to warrant mention in the local area plan, it raises the issue of the lack of timely action on the part of the planning authority, except in exceptional circumstances such as an outbreak of fire, where a protected structure has been allowed to become so endangered that it is now beyond repair.

The text might be amended to read, for instance,

"In accordance with Section 57(1) of the 2000 Planning and Development Act planning permission will be required for carrying out any works to a protected structure which materially affect the character of the structure."

In accordance with Section 57(10)(b) of the 2000 Planning and Development Act planning permission may only be granted for the demolition of a protected structure or proposed protected structure in exceptional circumstances."

3 Thirdly it is recommended that the text at Policy 3.3.7 is reviewed and revised, viz.

"Protect, conserve and enhance the essential character of the proposed ACA through the control of the design, location and layout of new properties or the alteration or extension of existing ones."

It should be noted that Part IV of the 2000 Planning and Development Act relates to the protection of structures and the preservation of the character of areas. In that regard the designation of ACAs relate to the preservation of the character of an area.

The text might be revised to read, for instance,

"Preserve the character of the Clifden ACA through encouraging the design, location and layout of new development and the alteration of existing structures in a manner which enhances that character."

Nature Conservation

General

However, despite the finding that full SEA is not required, the screening report and draft plan allude to significant environmental problems relating to the town's sewerage, wastewater treatment, surface water collection, and water supply. Projects put forward (and with preliminary approval) to address these problems and deficiencies may suffice as mitigation in relation to SEA requirements. However, it should be noted that where existing, potential or increased effects on Natura 2000 or European sites (SACs and SPAs, including any candidate sites) are at issue, such mitigation measures are unlikely to be acceptable unless delivery within a certain timeframe is guaranteed.

The screening for effects on Natura 2000 sites is considered deficient in respect of SEA and appropriate assessment requirements (see below). The statement in the report that "*it is not considered that any development consequent of the implementation of the Clifden LAP will have any detrimental effect on either complex*" (meaning either of the Natura 2000 sites listed) is neither reasoned nor supported by any scientific evidence and objective criteria. A review of possible effects arising from the plan, of existing environmental problems in the plan area that may be of significance to Natura 2000 sites and the habitats and species they support, and of the environmental conditions necessary for the habitats and species in question would be required to make the screening determination. See below:

Article 6(3) Appropriate Assessment Screening

The plan area includes parts of two Natura 2000 sites: Connemara Bog Complex cSAC (site code 2034) and The Twelve Bens/Garraun Complex cSAC (site code 2031). These two sites have been selected for the conservation of a range of EU Habitats Directive Annex I habitats and Annex II species. .

In the absence of completed management plans for these Natura 2000 sites, the conservation objectives should be taken to include maintaining or restoring the favourable conservation status of the Annex I habitats and Annex II species (and their habitats) for which these sites are selected.

There is potential for the plan on its own, and in combination with other plans and projects, to have significant effects on Natura 2000 sites and their conservation objectives, or the possibility of such effects cannot be excluded with certainty. Direct, indirect and in combination effects to the Natura 2000 sites may result from habitat fragmentation (including habitat loss and alteration, creation of barriers and loss of connectivity, disturbance, displacement and habitat encroachment); changes to water quality and quantity; air, noise, light and water pollution; eutrophication, etc. Key problem areas for the town appear to include sewerage and wastewater treatment, surface water collection, and water supply. The potential for effects outside the plan area is also noted.

As there is potential for significant effects as a result of the plan on its own and in combination with other plans and projects, appropriate assessment is required in line with Article 6(3) of the Habitats Directive.

All changes made to the plan in the course of plan development must be subject to appropriate assessment, as well as SEA, with reports updated and amended accordingly.

There are concerns that SAC lands along the Owenglin are zoned for 'recreation and amenity' in the absence of appropriate assessment.

Other ecological/natural heritage issues

Sites with nature conservation designations around Clifden of regional and local importance for biodiversity, and their importance, including as corridors and stepping stones for wildlife and biodiversity, should be recognised in the plan. Article 10 of the EU Habitats Directive should be noted in this regard:

In general, the policies and objectives for natural heritage are weak and fail to make clear statements about the conservation, protection and enhancement of sites, habitats and species of biodiversity value, or about ecological corridors and networks in and around the plan area. Stronger policies and objectives are required for the following, as appropriate:

1. Sites with nature conservation designations, including all existing, proposed, new or extended sites in the lifetime of the plan. Designations include candidate Special Areas of Conservation (cSAC), Special Protection Area (SPA), Natural Heritage Area (NHA) and proposed Natural Heritage Area (pNHA);
2. Rare and protected species, including those that are legally protected under the Wildlife Acts, 1976-2000, Flora Protection Order, 1999, EU Birds Directive, EU Habitats Directive, and European Communities (Natural Habitats) Regulations, 1997, and other species that are rare or threatened including those listed in Red Data Books, and BoCCI 1 Red and Amber list species;
3. Rare and threatened habitats, including those listed on Annex I of the EU Habitats Directive and all fens and natural/semi-natural woodlands of ecological value, and the habitats of species listed above;
4. Ecological networks comprising ecological corridors and stepping stones, including sites of local to regional or national importance for biodiversity or nature conservation. Article 10 of the EU Habitats Directive recognises the important role that spatial or land use plans have in maintaining such networks, and the importance these networks have in maintaining biodiversity and slowing or reversing the negative effects of habitat fragmentation in the wider countryside (e.g. COST 341 European Review of Habitat
5. Fragmentation 2, and the UK's PAS 2010 3). That Ireland has signed up to Countdown 2010, the EU target for halting the loss of biodiversity by 2010, should be recognised.
6. There are serious concerns that some large areas of land (outside the protected area network) have been zoned for development in the apparent absence of any information on the habitats present, or on the ecological sensitivities of the lands in question. There should be no zoning for development without basic information on the habitats and nature conservation sensitivities of the lands in question.

The current plan should have due regard to the County's Heritage Plan and Biodiversity Plan.

Some suggestions for additional objectives/policies to be included in the plan are outlined below:

- Protect, conserve and enhance areas of natural or semi-natural woodland, and maintain and enhance their interconnectivity. There should be a presumption against permitting housing development in areas where such woodlands would be directly impacted.
- Preserve and enhance hedgerows and treelines as ecological corridors, and promote their sensitive management.

¹ Birds of Conservation Concern in Ireland

² Trocmé, M. ed. (2002) *COST 341. Habitat Fragmentation Due to Transport Infrastructure: The European Review*. European Commission, Brussels

³ BSI (2006). *PAS 2010 – Planning to halt the loss of biodiversity. Biodiversity conservation standards for planning in the United Kingdom – Code of Practice*. Association of Local Government Ecologists

- Protect nesting birds by preventing the cutting of hedgerows and the removal or excavation of areas with natural or semi-natural vegetation between 1st March and 31st August. In this regard, the provisions of the Wildlife (Amendment) Act, 2000, should be noted: *It shall be an offence for a person to cut, grub, burn or otherwise destroy, during the period beginning on the 1st day of March and ending on the 31st day of August in any year, any vegetation growing on any land not then cultivated or in any hedge or ditch.*
- Protect and conserve peatlands and other wetlands. There should be a presumption against permitting development where sensitive peatlands or wetlands would be directly or indirectly impacted, and where flood storage or conveyance would be reduced, or otherwise negatively impacted. It should be an objective to have no net loss of wetlands in the plan area.
- Protect and conserve the river and its margins, including the associated floodplain or flood zone, and any fringing wetlands, woodlands or other habitats of ecological value. Recognise that the river corridor is an important wildlife corridor.
- Retain and properly protect significant trees, treelines or groups of trees (including the above and below ground parts) in all new developments where possible. Seek compensatory planting of appropriate native species, in appropriate locations, in situations where woodland or trees will be lost. It should be an objective to have no net loss of woodland in the plan area.
- Protect the natural habitats and breeding and resting places of bats, barn owls and other species protected under the Wildlife Acts, 1976-2000, and the EU Habitats Directive. For example, bats can be disturbed, harmed or killed when felling trees, demolishing buildings, or carrying out restoration or renovation works on buildings or stone bridges, and all bat species and their roost sites are legally protected in Ireland. Seek bat surveys as part of any planning applications where potential roosts/suitable buildings will be demolished or refurbished.
- Protect, conserve and enhance ecological networks/corridors and stepping stones, and the interconnectivity of areas of natural heritage importance within the plan area, and prevent habitat fragmentation. Recognise the importance of the wider ecological links outside the local areas in the plan area.
- Increase awareness and introduce measures to control and prevent the spread of invasive non-native species, including, for example, Zebra Mussel (see Galway County Council Heritage Plan Zebra Mussel control initiative), and the plants, Curly-leaved Pondweed (*Lagarosiphon major*; present in Lough Corrib; see Central Fisheries Board Leaflet), Japanese Knotweed (*Fallopia japonica*; see Clare County Council/Heritage Council leaflet), Giant Rhubarb (*Gunnera tinctoria*) and *Rhododendron ponticum*.
- Seek to prevent light spill and minimise external lighting in general. Lighting should not be directed at woodland, trees, rivers or other habitats or features of ecological or biodiversity sensitivity.

Archaeological Heritage

In chapters 3 and 5, in addition to the existing statements concerning the preservation of archaeological monuments, the County Council should give an undertaking to refer planning applications to the relevant statutory bodies, as required under Article 28(1) of the Planning and Development Regulations 2001.

Paragraph 5.3.18, as written, implies that the developer will decide whether or not the development requires archaeological mitigation and will prepare and archaeological report. Applications accompanied by reports will then be referred to DoEHLG. It should be clear that, under the planning referrals procedure, it is the County Council, in collaboration with DoEHLG, who decide what applications need archaeological mitigation and they will require the developer to furnish a report.

Developers are of course to be encouraged to submit archaeological reports with planning applications and to have pre-planning consultations but applications which include archaeological reports should not be the only applications referred to DoEHLG.

Response:

Strategic Environmental Assessment and Appropriate Assessment

SEA screening is considered to be adequate, however the Council is prepared to have this checked in tandem with Appropriate Assessment.

The Council will undertake Appropriate Assessment for the Clifden LAP.

West Regional Planning Guidelines

The three points made are noted. Issues in relation to holiday homes are addressed under "holiday homes".

Settlement Strategy

The core policies and objectives they are contained in Chapter 2. The core policies and objectives will be monitored and evaluated. Development Management assessment will be of assistance here also.

Population Projections

They are not targets for growth; they merely allow for maximum expected growth. Moreover these have been adopted in the CPP since the Draft went into preparation. It is essential that these figures agree.

Holiday Homes

Holiday homes balance policy can be included as per CDP. This is appropriate.

Zoning

The reasoning behind the low density

The Council will consider phasing of new zonings which will allow for development of lands only when there is adequate capacity in the town waste water treatment system. This will be implemented through the Development Management system.

Architectural Heritage

Reference correction noted

Policies 3.3.3, 3.3.6 & 3.3.7 changes accepted

Nature Conservation

General

No new development which requires significant additional services will be permitted until the necessary deficiencies are overcome in water and sewerage. (The timeframe is in the hands of the DOEHLG) This will be managed through the Development Management Process.

SEA screening is considered to be adequate, however the Council is prepared to have this checked in tandem with Appropriate Assessment.

Article 6(3) Appropriate Assessment Screening

Appropriate assessment will be carried out, as stated already.

Other ecological/natural heritage issues

The proposed policies and objectives are generally being inserted in a more succinct format (see Recommendations) below.

Archaeological Heritage

Reference of planning applications is statutorily carried out at all times and should not require a policy/objective. It is, as assumed, a reference to aid pre planning work for planners and developers. This can be clarified.

H Eng/Conamara Area Meetings/Minutes 2009-3-/Minutes of 19-02-2009

Recommendation:

Strategic Environmental Assessment and Appropriate Assessment

SEA screening is considered to be adequate, however the Council is prepared to have this checked in tandem with Appropriate Assessment.

The Council will undertake Appropriate Assessment for the Clifden LAP.

West Regional Planning Guidelines

Issues in relation to holiday homes are addressed under "holiday homes".

Settlement Strategy

No change in Clifden Draft LAP

Population Projections

No change in Clifden Draft LAP

Holiday Homes

Insert Policy

In Chapter 3.12 Add/include as policy

Policy 3.12.16: *The Planning Authority shall have regard to the cumulative total of holiday homes contained within the LAP boundary. Maintain this total at a level appropriate to the size and function of the Settlement Centre.*

On the proposal of Cllr Conneely and seconded by Cllr S Walsh it was agreed to accept the recommendation in the Manager's Report and make the necessary changes to the Draft Plan.

Cllr Walsh explained that holiday home developments may bring some employment to the areas

Architectural Heritage

Make changes as requested

Correct references between text and Map numbers

Change 3.3.3 and 3.3.6

To

3.3.3 *"Require that In accordance with Section 57(1) of the 2000 Planning and Development Act planning permission will be required for carrying out any works to a protected structure which materially affect the character of the structure."*

&

3.3.6 *"Require that In accordance with Section 57(10)(b) of the 2000 Planning and Development Act planning permission may only be granted for the demolition of a protected structure or proposed protected structure in exceptional circumstances."*

And change **3.3.7** to

3.3.7 *"Protect, conserve and enhance the essential character of the proposed ACA through the control of the design, location and layout of new properties or the alteration or extension of existing ones."*

Nature Conservation

General

SEA screening is considered to be adequate, however the Council is prepared to have this checked in tandem with Appropriate Assessment

H Eng/Conamara Area Meetings/Minutes 2009-3-/Minutes of 19-02-2009

Article 6(3) Appropriate Assessment Screening

Appropriate assessment will be carried out, as stated already.

Other ecological/natural heritage issues

Natural Heritage and Biodiversity Policies etc.

For consistency, clarity and to provide for all suggestions by Department all policies and Objectives from CDP to be included

Re number accordingly as below

i.e

Include 3.3 and replace from 3.3.1 onwards to “Archaeological Heritage” from LAP and replace with (i.e replace policies and objectives):

Policy 3.2.1: *Promote education, knowledge and pride in the natural heritage of the LAP area*

Policy 3.2.2: *Facilitate the identification and protection of the main elements of the ecological network in the LAP area and provide for its appropriate and sustainable use.*

Policy 3.2.3: *Seek to maintain and enhance, as far as it is practical and prudent, the natural heritage and amenity of the LAP area by seeking to encourage the preservation and retention of woodlands, hedgerows, stonewalls and wetlands. Where their removal or interference with same cannot be avoided, appropriate measures to replace like with like should be considered, subject to considerations of safety and practicality.*

Policy 3.2.4: *Protect and conserve insofar as is practicable, and in consideration of the strategic aims of this Plan, the geological and geomorphological system, sites and features from inappropriate development that would detract from their heritage value and interpretation.*

Policy 3.2.5: *Encourage and support the protection, enhancement of, and access to, the geological and geomorphological system, sites and features in the LAP area through the planning system where feasible.*

Policy 3.2.6: *Ensure that new developments consider the implications of climatic and sea level changes for natural systems, human settlements and infrastructural elements.*

Natural Heritage and Biodiversity Objectives

Objective H1: *Prepare an inventory of the geological heritage sites in the LAP area.*

Objective H2: *No ecological networks or parts thereof which provide significant connectivity between areas of local biodiversity are to be lost as a result of implementation of the Local Area Plan without appropriate and reasonable remediation and/or compensatory measures.*

9.3.5 Designated Sites, Habitats and Species Policies

Policy 3.2.7: *Have regard to any impacts developments may have on existing and proposed, Natural Heritage Areas, Special Protection Areas and Special Areas of Conservation, Nature reserves, and any other designated sites.*

Policy 3.2.8: *Consult with the Department of the Environment, Heritage and Local Government in relation to proposed developments adjoining designated conservation sites.*

Policy 3.2.9: *Seek to have protected and conserve habitats, which have been identified in the Habitats Directive, Birds Directive, Wildlife Act 2000 and the Flora Protection Order nature reserves, and any other Directives, Acts or Policies which may be issued during the lifetime of this Plan.*

Coastal Zone and Inland Waterways Policies

Policy 3.2.10: *Seek to have protected and preserve in so far as is practicable the quality of the coastline, while balancing against the economic and social needs of coastal community.*

Policy 3.2.11: *Seek to have protected in so far as is practicable, the flora and fauna and natural habitats along the coastline.*

Policy 3.2.12: *Seek to have protected any views of special amenity value along the coastline.*

Policy 3.2.13: *Seek to have protected rivers, streams and other watercourses and, wherever possible, maintain them in an open state capable of providing suitable habitat for fauna and flora.*

Policy 3.2.14: *Seek to have protected and enhance the natural heritage and landscape character of river and stream corridors, floodplains and valleys to maintain them free from inappropriate development, and to provide for public access where feasible and appropriate.*

Policy 3.2.15: *Seek to have protected and conserve their quality character and features of by controlling developments close to navigable and non-navigable waterways.*

Policy 3.2.16: *Seek to have protected and seek to provide access to inland waterways.*

Policy 3.2.17: *Ensure the adequate protection and sustainable use of the coastal zone as an area of natural heritage, amenity value, recreational use, economic potential and, where appropriate, quality living environment.*

Policy 3.2.18: *Incorporate the issue of provision/protection/enhancement of access into an integrated coastal management plan.*

Policy 3.2.19: *Conserve the character, quality and distinctiveness of seascapes.*

Policy 3.2.20: *Address the issue of bathing water quality and seek to put in place appropriate policies and objectives with associated commitment and timescales to ensure the provision of adequate and appropriate wastewater treatment .*

Policy 3.2.21: *Support the implementation of appropriate measures to manage surface water drainage and prevent/minimise flooding impacts on natural systems, human settlements and infrastructural elements.*

9.3.8 Coastal Zone and Inland Waterways Objectives

Objective H3: *Consider the preparation of integrated coastal zone management plans for specific areas of the coastline as the need arises, based on identified zones of vulnerability such as shellfish farming areas or expanding harbours.*

Objective H4: *Where possible, the landward migration of coastal features, such as dunes and marshes, shall be facilitated as these features form an integral part of the coastal system – both physically and ecologically – and provide protection against wave energy through dissipation.*

Objective H5: *Comply with the provisions of the Bathing Water Regulations to ensure that where any bathing water fails the mandatory bathing standards that the public are made aware of this fact by means of information notices posted at the bathing area.*

Objective H6: *Carry out Flood Risk Management in accordance with the approach as adopted by the OPW should there be an identified risk of flooding.*

Objective H25: *Adopt appropriate zoning of lands and restriction of use in areas liable to flooding to avoid increased risk of flooding of the lands either within or adjoining the zoned areas.*

9.3.9 Natural Water Systems

The increase in population, development pressures and intensification of agriculture over recent

Natural Water Systems Policies

Policy 3.2.22: *Implement water protection measures to prevent any deterioration of 'good status' waters, and to restore substandard waters to 'good status'.*

Policy 3.3.23: *Adopt and implement the provisions of the River Basin District Management for the Western River Basins. Have regard to recommendations that may result from the River Basin District Management Plan.*

Policy 3.2.24: *Introduce a comprehensive and integrated approach to the management of our natural water resources.*

Policy 3.2.25: *Intensify public awareness of water quality issues and the measures required to protect natural water bodies.*

Policy 3.2.26: *Seek to Ensure that the substandard public wastewater treatment plan is upgraded. In the interim prevent an increase in the nutrient load discharged from these plants and the urgent provision of modern sewerage treatment systems*

Policy 3.2.27: *Ensure that industrial facilities and commercial premises discharging wastewater are operating within the parameters of an IPC license or a wastewater discharge license.*

Policy 3.2.28: *Ensure that any dwellings outside the town sewerage systems have an appropriate wastewater treatment system, correctly installed and maintained.*

Policy 3.2.29: *Ensure that agricultural waste is returned to the land in accordance with the provisions of scientifically prepared nutrient management plans.*

Policy 3.2.30: *Ensure that all new treatment systems, including single house systems, comply with the relevant EPA wastewater manuals.*

- Policy 3.2.31:** *Restrict agricultural or forestry practices which contribute to nutrient enrichment.*
- Policy 3.2.32:** *Protect and maintain the quality of beaches*
- Policy 3.2.33:** *Work towards a Blue Flag beach status.*
- Policy 3.2.34:** *The Local Authority will investigate other “quality mark” schemes for beaches and work to achieve such awards such as the Green Coast award which will increase the number of recognised beaches with a high standard of environmental quality and tourism potential.*
- Policy 3.2.35:** *Support the relevant agencies and statutory bodies in the control and elimination of invasive species in water bodies.*
- Policy 3.2.36:** *Ensure that all new development which is reliant on private waste water treatment and disposal systems is assessed with regard to the impact on ground waters, having regard to the relevant EPA wastewater treatment manuals.*
- Policy 3.2.37:** *Adopt the Galway Groundwater Protection Scheme and have regard to the need to protect water sources through the identification of source protection zones in the scheme.*
- Policy 3.2.38:** *Have regard to the programme of measures set out in the River Basin Drainage Plans to bring water up to a good standard, as defined in the EU Water Framework Directive, by 2015.*
- Policy 3.2.39:** *Ensure that the ongoing development of the LAP area and its environs are undertaken in such a way so as not to compromise the quality of surface water (and associated habitats and species) and groundwater within the zone of influence of the Local Area Plan area.*
- Policy 3.2.40:** *The Planning Authority shall consider the use of temporary proprietary effluent treatment units to service new developments as an interim measure until such time as the planned infrastructural investment as set out in the Water Services Investment programme is delivered and commissioned.*

Invasive Species

The continuing spread of invasive species, both invertebrate and plants can have a serious impact on the water quality and on the native flora and fauna of a water system. The control of such species is imperative if the status of our water systems as both water sources and as rich ecological and tourism resources is to be maintained.

Invasive Species Policies

- Policy 3.2.41:** *Promote public awareness of the impact of invasive species on water systems and natural habitats and support the other statutory agencies in the control of such species.*

General Objectives

- H26** Seek to provide guidance to the community in the implementation of a heritage awareness programme.
- H27** Seek to develop walks in an environmentally sensitive manner within the plan area in consultation with the relevant stakeholders.

- H28** Seek to ensure insofar as is possible that there is greater habitat and species diversity through the appropriate planting of trees, shrubs and hedgerow indigenous to the Clifden area in public and private developments / parks /amenity areas.
- H29** Seek to promote greater awareness of the natural heritage and natural heritage designations in Clifden.
- H30** Seek to protect non-designated habitats and landscapes.
- H31** Support the facilitation of a habitat mapping project for the plan area and seek to take cognisance of any relevant findings from such a project
- H32** Support the facilitation of the development of a biodiversity action plan for Clifden to include the Owenglin River.

Archaeological Heritage

No change to Chapter 3 Draft Clifden Development Plan.

In Chapter 5: Add to 5.3.18

"The County Council in collaboration with DOEHLG will decide what applications need archaeological mitigation

It was agreed to accept the above recommendations in the Manager's Report in relation to Submission No 27 and made the necessary changes to the Draft Clifden Plan.

Ms. Flynn summarised the content of Submission No 28 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 28

Submitted by:

Coordination Unit

Department of Communications, Energy and Natural Resources

Synopsis:

The submission states that the DCENR has no comments to make at this time, without prejudice to any comments the Western Fisheries Board may have to make.

Response:

The WFB have made no submission on this occasion. An earlier submission before the statutory period in reply to submissions sought after the public meeting was made by the WFB.

Recommendation:

No change to be made to Draft Clifden LAP

On the proposal of Cllr Conneely and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

SUBMISSION No. 29

Submitted by:

**Mr. James Sullivan,
Sullivan's Supermarket,
Main Street,
Clifden.**

Synopsis:

The submission requests that no pedestrian only zone be provided in Main Street. He also suggests pedestrian crossings for Main Street

Response:

Mr. Sullivan read this proposal in the "Connemara View" and not in the Clifden LAP.

Policy 3.10.26 (Town Centre) simply states "Promote pedestrian/cycling access to, and use of the Town centre."

Policy 3.5.12 states "Provide adequate facilities for people with special needs including mobility needs to create a safe and accessible environment by providing parking facilities on ground floor level, **tactile crossing points** etc.

Recommendation:

No change to be made to Draft Clifden LAP

On the proposal of Cllr Conneely and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

SUBMISSION No. 30

Submitted by:

**Ms. Maria King Schiro,
43 New Cottages,
Tullyvoheen Local Authority Estate,
Galway Road,
Clifden**

Synopsis:

1. The submission states that the residents of this estate have the right from years of occupancy on grounds zoned Residential and Low Density and Recreation and Amenity under the current development plan to expect that NO Industrial, Transportation Roadway or Commercial Development will be authorised or exempted in its installation by Galway County Council.
2. She also states that no effort was made to discuss the proposed bypass adjacent.

She also refers to the permissions granted to Aldi and Lidl on lands which remain residential zonings. She later amended her submission to, and when constructed will be so change word "bypass" to "distributor road"

Response:

1. The road is outside the lands in question designed as to protect the lands in question from negative affects. The proposed "distributor road" or "relief road" is considered necessary for the proper planning and development of the transportation network for Clifden, and has been proposed in the current LAP. (i.e. is not new to the Draft LAP). It should be noted that Clifden does not have a network of local roads to accommodate in depth development, and this road provides the catalyst for the development of such facilities. The proposed "distributor road" or "relief road" will be subject to Part 8 planning process, where the public can become involved in the proposal, and make their case known before any final decision will be taken.

2. A public meeting was held when the review of the LAP was first started in May 2007. All statutory means of engaging with the public were availed of in the preparation of this Plan. These included Newspaper notices etc.

Recommendation:

No change to be made to Draft Clifden LAP

On the proposal of Cllr Conneely and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

SUBMISSION No. 31

Submitted by:

**Ms. Eimear Dolan,
Administrative Officer,
Community and Enterprise Section,
Galway County Council**

Synopsis:

Clifden Chamber of Commerce has expressed a direct interest to Galway County Council with regard to acquiring a site for small scale Enterprise Development. Due to lack of space from IDA point of view, the issue of availability of space in publicly owned land arises. Most of this space is zoned "Community Facilities" Consideration of how mixed use facility would be accommodated is requested. in either the Community or Enterprise and Industry.

Reference to County Development Board Economic Forum to be included 3.12.6 suggested

3.12.6 *Co-operate with the IDA, Enterprise Ireland, the County and City Enterprise Board and other State Agencies and other potential employers and promote Clifden as a location for employment generating enterprises*

Lack of indoor tourism type products reference is noted in Policies and affirmed, as is

RA3 Encourage and facilitate suitable facilities for teenagers at appropriate locations in raising issues of support for Youth Projects as youth disadvantage, drug use, alcohol abuse and lack of facilities for teenagers

RA12 Prepare a comprehensive Landscaping Plan for the Galway Road approach West of Waterloo Bridge. Prepare also a Landscaping Plan for the town area visible from the Ballyconneely approach road, and a similar plan for the Westport Road approach

Is welcomed

As is

RA6 Plan for the provision of an amenity Area in the vicinity of the Ball Alley area subject to the necessary ownership issues being put in place

and

T10 Facilitate the development of bus shelter in the town centre.

Finally suggested inclusion of cross departmental projects as follows to be included

1. Town Trail (similar to Galway East Trails) audio with potential for signed trail.
This has links with Policy 3.12.12& RA 1, 1 & T6& 3.3.8
2. Marconi Site Walking Trail of the NPWS /3.12.12
3. Clifden Rail Line 8.2 section Munga to Ballinahinch/links to EIT7
4. Completion of signed Cycle Route in 3 Loops/ RA 1 and 3.10.26

Response:

Enterprise Centres in land zoned “Community Facilities” is open to consideration. Such an application and what it involved in predominant user type would be taken on its individual merits given the proposal and the proposed site, subject to normal proper planning and development assessment.

Include reference to County Development Board Economic Forum in 3.12.6
Affirmation of policy and Objectives RA3 to 3.10 is noted

Cross Departmental projects are covered by existing policies and Objectives. None should be too specifically to allow for imaginative and practical outcomes possible during lifespan of Clifden Draft LAP

Recommendation:

No change to Land Use Zoning Objectives

Include reference to County Development Board Economic Forum in 3.12.6 Rewording

“Co-operate with the IDA, Enterprise Ireland, the County and City Enterprise Board, with the County Development Board Economic Forum, and other State Agencies and other potential employers and promote Clifden as a location for employment generating enterprises.”

Specific walk/cycling projects not to be listed. Generically all are covered by existing policies and objectives, subject to proper planning and development considerations and budgetary allowances.

On the proposal of Cllr Conneely and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager’s Report and make the necessary changes to the Plan.

Ms. Flynn summarised the content of Submission No 32 and outlined the recommendation in the Manager’s Report as follows

SUBMISSION No. 32

Submitted by:

**Mr Tadhg O’ Mahony,
Senior Scientific Officer
SEA Section – Environment Research Centre,
Office of Environmental Assessment,
Environmental Protection Agency,
Regional Inspectorate,
Iniscarra,
County Cork**

Synopsis:

EPA Ireland's Environment 2008 –“Main Environmental Challenges”

Galway County Council should ensure that relevant Policies and Objectives are included in LAP Plan, to address, where appropriate, the “Main Environmental Challenges” for Ireland as set out in Chapter 16 – “Main Environmental Challenges” of EPA Ireland's Environment 2008(EPA, October 2008). These are as follows:

- Limiting and Adapting to Climate Change
- Reversing Environmental Degradation
- Complying with Environmental Legislation and Agreements
- Mainstreaming of Environmental Considerations

<http://www.epa.ie/downloads/pubs/other/indicators/irlenv/43366%20epa%20report%20chap%2016.pdf>

1. Water

1.1 Water Framework Directive

Provisions should be made in the Plan for the incorporation of the specific objectives and measures that will be set out

1.2 Drinking Water

The Plan should include specific objectives for the Public Water Supplies

<http://www.epa.ie/downloads/data/water/name,24319,en.html>.

The Plan should include specific policy (ies) to reflect the requirement to ensure provision and maintenance (and upgrading, as appropriate), of adequate appropriate and robust water treatment infrastructure.

<http://www.epa.ie/downloads/pubs/water/drinking/>

Zoning and Water Supply

Zoning for development should be linked to the availability of adequate safe and secure drinking water supply and drinking water treatment infrastructure and capacity. In this regard, particular consideration should be given to the significant increased demands on water supply generated by the significant transient tourist population visiting Clifden.

1.3 Bathing Water

The Plan should include, as appropriate, relevant policies and objectives to ensure the protection of freshwater areas, which are used for bathing.

<http://www.epa.ie/downloads/pubs/water/bathing/name.24442.en.html>

This Report identifies Seawater Bathing area in Clifden s failing to meet EU Mandatory and Guide levels as set out in the EC “*Directive concerning the Quality of Bathing water (76/160/EEC)*”

“*As the purpose of the Bathing Water Regulations is the protection of human health, local authorities*”, Galway County Council in this instance, and where appropriate the relevant Town Councils/Urban District Councils, “*should ensure that where any bathing water fails the mandatory bathing standards that the public are made ware of this fact by means of **information notices** posted at the bathing area.*” To this effect the Plan should include a Policy/ Objective to reflect this requirement is complied with.

In relation to Clifden, “*the existing wastewater treatment plant in Clifden is the most significant source of contamination of bathing waters and there is a permanent notice at Clifden beach informing the public that it is unsafe for bathing*”. It is acknowledged by the EPA that County Council, under direction of the EPA Office of Environmental Enforcement (OEE), has improved the operation of the Clifden wastewater treatment plant (WWTP) through remediation works.

Galway A larger, state of the art, waste water treatment plant, with adequate capacity to treat foul drainage arising from the drainage network associated with the WWTP Clifden area is, however, required if Clifden is to comply with the EU bathing water standards. In advance of this, the "*OEE has recommended that Galway County Council install temporary waste water treatment in order to improve the quality of the effluent being discharged*".

It is recommended that the SEA addresses the issue of bathing water quality in County Galway and that appropriate policies and objectives with associated commitment and timescales are included in relation to the provision of adequate and appropriate wastewater treatment in the county. This is necessary for the protection of Bathing waters (Seawater and Freshwater), Shellfish areas, and freshwater (surface water and groundwater, transitional and coastal waters). In addition, it is recommended that consideration be given to the feasibility of connecting of unsewered areas, including individual properties/premises, serviced by septic tanks to existing and planned sewer networks.

In addition to the above, **in considering zoning of new lands and individual planning applications, in advance of the replacements/ upgrade of the Clifden WWTP, these should be assessed in the context of the existing capacity of Clifden WWTP** and /or other temporary installations, to adequately treat the predicted waste water load likely to be generated so that the quality of water in the Clifden Bathing area is not further compromised.

You are also referred to the new "*Directive on bathing water (Directive 2006/7/EC)*" which came into force on 24 March 2006 and which will repeal the existing 1976 Directive with effect from 31 December 2014. The new Directive is implemented in Ireland by the new *Bathing Water Quality Regulations 2008 (S.I. No. 79) of 2008*. The Plan should, as appropriate, include relevant policies/objectives to ensure bathing waters achieve "*sufficient or better status by 2015*". In addition, consideration should be given to the requirement *to increase the number of bathing waters classified as "good or "excellent"*.

1.4 GROUNDWATER PROTECTION

THE PLAN SHOULD INCLUDE A CLEAR POLICY AND OBJECTIVE FOR THE PROTECTION OF GROUNDWATER RESOURCES AND ASSOCIATED HABITATS AND SPECIES AS APPROPRIATE WITHIN, THE PLAN AREA.

1.5 Waste Water Treatment

The Plan should include, as appropriate, specific provisions for the implementation of the relevant recommendations set out in *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2004 and 2005 (Office of Environment Enforcement-EPA, 2007)* as included below in Appendix 2. <http://www.epa.ie/downloads/pubs/water/wastewater/name,13978,en.html>

1.6 Water Conservation

It is recommended that a specific Policy be included under Section 7.2.2 Water Supply Policies for the preparation and implementation of a "Water Conservation Strategy

1.7 Flood Prevention

The Flood Risk Management approach as adopted by the Office of Public Works (OPW) should be considered. A specific Policy and Objective should be included

Consideration should be given to the inclusion of a specific policy for the preparation and implementation of an "**Integrated Coastal Zone Management Plan**" for Galway's coastal zones and offshore islands. Such a Plan should take into account "coastal erosion" and "climate change".

1.8 Lakes and Beaches Policies

Lakes and Beaches Policies should include reference to "biodiversity, including fisheries".

2. Biodiversity

2.1 Habitat Mapping

Clarify how the Plan policies have addressed the specific issues raised below with respect to Biodiversity

Abstract from EPA SEA Scoping Submission dated 21.05.'08:

A specific objective for Habitat Mapping of the LAP area Mapping should be included.

Specific objectives should also be included in the Plan related to the protection of ecological corridors/ ecological networks.

2.2 Wetlands

In the context of the significant “wetland areas of biodiversity value” - habitats, it is recommended that a specific Policy be included in the Plan for the protection wetlands and associated, surface and groundwater systems in the Plan area together with a wetland survey

2.3 Appropriate Assessment

Abstract from EPA SEA Scoping Submission dated 21.05.'08:

You are referred to the Circular Letter - **Appropriate Assessment** of Land Use Plans dated 15th February 2008 issued by the Department of the Environment, Heritage and Local Government.

Given the occurrence of significant areas designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), i.e. Natura 2000 sites both within and adjacent to Clifden LAP, it is recommended that you consult with the NPWS with regard to screening of the review of the County Development Plan for the requirement for Appropriate Assessment (as required under Article 6 of the Habitats Directive).

A determination for the requirement for an appropriate assessment should be recorded and made available to the public.

In order to determine the requirement for an appropriate assessment you are referred to the following Guidance:

- *European Commission, 2000. Managing Natura 2000 Sites – The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*
http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_a_rt6_en.pdf
- *European Commission, 2002. Assessment of plans and projects significantly affecting Natura 2000 sites - Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*
http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

A specific objective should be included, under biodiversity with respect to the requirements for an Appropriate Assessment in accordance ...”

2.4 EU Protected Habitats and Species in Ireland

Clarify how the Plan policies have addressed the specific issues raised below with respect to “EU Protected Habitats and Species in Ireland”.

Consideration should, appropriate, be given to the inclusion of a Policy promoting the protection of marine mammals.

2.5 Fisheries

A specific Policy should be included under Natural Heritage Policies for the “*protection of fisheries*” including in particular those listed in the Annexes of the Habitats Directive.

H Eng/Conamara Area Meetings/Minutes 2009-3-/Minutes of 19-02-2009

A policy should also be included to take into account any Guidelines from the Central Fisheries Board, and the Shannon Regional Fisheries Boards in relation to conservation of fisheries.

Consideration should also be given to the inclusion of a specific policy for the protection of freshwater pearl mussel and white clawed crayfish populations within the Plan area.

2.6 Shellfish Growing Areas

The Plan should include a specific Policy to ensure the protection of “*Shellfish Growing Areas*” within the zone of influence of the Plan.

The proposed sites for designation in County Galway include *Clifden, Mannin Bay,*

2.7 Invasive Species

It is recommended, that a specific policy be included in the Plan which will proactively support, specific measures to control the spread of “zebra mussel” within the lake network in the county. This should be developed and implemented in consultation with the Shannon Regional Fisheries Board, the Central Fisheries Board and the National Parks and Wildlife Service,

2.8 Non-Designated Habitats and Species

Consideration should be given to the inclusion of a specific Policy under *Natural Heritage and Biodiversity Policies* to provide for enhanced protection of non-designated habitats and species and for the maintenance and enhancement of ecological corridors within the Plan area.

3. Landscape

A specific policy should be included in with respect to “tall/high buildings”, which have potential to impact adversely on the setting and existing landscape character of the above mentioned areas.

Telecommunications and Electricity Transmission Infrastructure

In the context of the sensitivity of the landscape and habitats within the Plan area there would be merits in including a specific Policy with respect to telecommunications and electricity related infrastructure with a view to minimising the potential for impact on the sensitive landscapes, habitats and species in the Plan area.

4. Transportation

The *Department of Transport 2020 Vision –Sustainable Travel and Transport Public Consultation Document (Feb 2008)* should be reviewed in the context of possible initiatives which could be included as policies within the Plan.

5. HUMAN HEALTH - QUALITY OF LIFE

Consideration should be given, as appropriate, to the inclusion of specific relevant policies for “*Quality of Life*” including for instance “Localised campaigns to encourage exercise and healthy living for all ages”. See also comments under Water – Drinking Water, Bathing Water and under Air and Climatic Factors.

6. AIR AND CLIMATIC FACTORS

Consideration should be given to the following:

- The inclusion specific policies/objectives in the Plan in relation to the protection and improvement, as appropriate, of air quality within the Plan area.

- The potential for including a specific “Environmental Objective” and associated relevant “Indicator” and “Target” with respect to “noise” and possibly also “vibration”, as appropriate.
- The inclusion of a Policy in relation to the preparation and implementation of “An Energy Conservation Strategy” and associated awareness campaign. Specific timescales should be assigned to the preparation for such a strategy;
- The Plan should include specific Policies and associated provisions for the development and promotion of appropriate climate change adaptation and mitigation measures that can be implemented through the Plan;

Renewable Energy

Consideration should be given to the inclusion of a specific Plan Policy /Objective requiring a specific percentage of electricity usage in new developments to be derived from renewable energy resources.

7. Waste Management

National Hazardous Waste Management Plan

A policy should be included *Policy Infra-11* which makes reference to the Environmental Protection Agency’s, National Hazardous Waste Management Plan –2008-2012, which was recently published. <http://www.epa.ie/downloads/pubs/waste/haz/name.25129.en.html>).

Brownfield Development

Where any environmental risk is identified, provisions should be made for appropriate investigations to be undertaken to determine the nature and extent of any materials, contaminated soils on the proposed development site. The Policy should require a site specific “remediation plan” to be prepared to ensure the construction and operation phases of development do not result in risk to human health, water quality, biodiversity, fisheries, air quality etc.

Burning of Waste

Consideration should be given to the inclusion of a specific Policy/ Objectives under Waste Management Policies with respect to the prohibition of backyard/ farmyard “burning of waste”.

Agriculture

Consideration should be given, as appropriate, to the inclusion of specific Plan policies for the “protection” / “appropriate zoning “ of agricultural land” within the Plan.

10. Strategic Environmental Assessment (SEA)

etc.

The Policy should be taken into account for any “amendments” etc. which may be proposed for the current Draft Development Plan which is the subject of this submission.

11. SEA and Infrastructure Planning

In proposing Local Area Plans, and in implementing the Plan, adequate and appropriate infrastructure should be in place or required to be put in place to service any development proposed and authorised during the life of the Plan.

In particular, adequate and appropriate wastewater treatment, water supply, surface drainage, flood protection measures, transport, car parking, waste management, community services and amenities etc. should be planned and phased to address any current problems deficits and to reflect predicted increases in population.

12. Obligations with respect to national and EU Environmental Legislation

You are referred to your responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for Galway County Council to ensure in undertaking and fulfilling their statutory responsibilities they are at all times compliant with the requirements of national and EU environmental legislation.

Recommendation:

The policies and objectives in the LAP address the

Main Environmental Challenges pertaining to the smaller scale relevancies for an LAP area. These Policies and Objectives can be found under the relevant headings e.g. Water & Drainage, Natural Heritage etc.

Galway County Council also ensures at macro level that relevant Policies and Objectives are included in the CDP, to address, where appropriate, the “Main Environmental Challenges” for Ireland as set out in Chapter 16 –“Main Environmental Challenges” of EPA Ireland’s Environment 2008(EPA, October 2008). These are as follows:

- Limiting and Adapting to Climate Change
- Reversing Environmental Degradation
- Complying with Environmental Legislation and Agreements
- Mainstreaming of Environmental Considerations

1. Water

1.1 Water Framework Directive

Provisions should be made in the Plan for the incorporation of the specific objectives and measures that will be set out.

Objective H11 states: “Seek to cooperate and coordinate with all relevant public authorities under the Water Framework Directive regulation in ensuring that the Owenglin River can be protected from pollution, sedimentation and aquatic invasive species

1.2 Drinking Water

Refer to LAP as follows

- 2.4** *Clifden is served by the Clifden Regional Water Supply Scheme. This is a large scheme serving the town and environs and extending southwards to Ballyconneely and northwards to Claddaghduff. In relation to the Clifden Regional Water Supply Scheme, a supplementary report to the preliminary report was submitted to the Department of Environment Heritage and Local Government in December 2007.*

Policies and Objectives under 3.6 also refer

e.g. Policy 3.6.1. Provide new water and waste water facilities to cater for the growth of Clifden in accordance with new policies and directives

and

3.6.11 Ensure that the provision of water and sewerage facilities is undertaken in accordance with EU policies and directives.

et al.

Zoning and Water Supply

Policies and Objectives under 3.6 also refer

e.g.

- 3.6.6** Encourage only as much development, both in terms of quantity and type of development as can be provided for, based on the utility services available.

1.3 Bathing Water

The Plan should include, as appropriate, relevant policies and objectives to ensure the protection of freshwater areas, which are used for bathing.

- 3.12.13** Facilitate the development of water based tourism activities such as sailing, and canoeing while protecting, conserving and enhancing the unique angling resources of the Bay and Owenglin River

- EIT5** Support the development of water-based recreational facilities that will benefit the local community and visitors to the area and enhance the tourism infrastructure in an environmentally sustainable manner.

However

Add as Policy 3.6.18

“Seek to ensure the protection of bathing waters through the proper management of water and wastewater services.”

It is acknowledged by the EPA that County Council, under direction of the EPA Office of Environmental Enforcement (OEE), has improved the operation of the Clifden wastewater treatment plant (WWTP) through remediation works. Galway A larger, state of the art, waste water treatment plant, with adequate capacity to treat foul drainage arising from the drainage network associated with the WWTP Clifden area is, however, required if Clifden is to comply with the EU bathing water standards. The time frame for this is included in 3

The new treatment plant will of course be critical in this effort see 2.4 (revised as per Submission No. 3)

Clifden Town is currently served by the Clifden Water Supply Scheme. This scheme is at capacity and requires upgrading. A capital project in the form of Clifden regional Water Supply Scheme is on the Department of Environment Heritage and Local Government Water Services Investment Programme. This proposed scheme is a large scheme extending southwards to Ballyconneely and northwards to the Tullycross area. The current status of the proposed regional scheme is that a supplementary report to the preliminary report was submitted to the Department of the Environment, Heritage and Local Government in December 2007. Galway County Council is currently awaiting approval to proceed with the scheme.”

Objective H5 refers to information at bathing areas

- Objective H5:** Comply with the provisions of the Bathing Water Regulations to ensure that where any bathing water fails the mandatory bathing standards that the public are made aware of this fact by means of information notices posted at the bathing area.

1.4 GROUNDWATER PROTECTION

POLICY 3.2.22 (AS PER REPORT ON SUBMISSION 27) IS APPLICABLE

Policy 3.2.22: Implement water protection measures to prevent any deterioration of 'good status' waters, and to restore substandard waters to 'good status'.

1.5 Waste Water Treatment

Details already given as regards new treatment plant

1.6 Water Conservation

It is recommended that a specific Policy be included under Section Water Supply Policies for the preparation and implementation of a "Water Conservation Strategy

Such a strategy is an objective of the CDP at macro level and applies to the entire County

1.7 Flood Prevention

The Flood Risk Management approach as adopted by the Office of Public Works (OPW) should be considered. A specific Policy and Objective should be included

Objective W6 applies

W6 Have regard to any flood plain details including maps and data that may be issued by the Office of Public Works during the lifetime of this Plan. Have regard to DoEHLG Guidelines "The Planning System and Flood Risk Management, Consultation Draft Guidelines for Planning Authorities" September 2008 www.environ.ie

Consideration should be given to the inclusion of a specific policy for the preparation and implementation of an "**Integrated Coastal Zone Management Plan**" for Galway's coastal zones and offshore islands. Such a Plan should take into account "coastal erosion" and "climate change".

Objective H3 (as per Report on Sub 27) applies

Objective H3: Consider the preparation of integrated coastal zone management Plans for specific areas of the coastline as the need arises, based on identified zones of vulnerability such as shellfish farming areas or expanding harbours.

1.8 Lakes and Beaches Policies

Lakes and Beaches Policies should include reference to "biodiversity, including fisheries".

2. Biodiversity and

2.1 Habitat Mapping

Clarify how the Plan policies have addressed the specific issues raised below with respect to Biodiversity

Objective H2 (as per Report on Sub 27) applies

No ecological networks or parts thereof which provide significant connectivity between areas of local biodiversity are to be lost as a result of implementation of the Local Area Plan without appropriate and reasonable remediation and/or compensatory measures.

H31 and H32 (as per Report on Sub 27) apply

H31 Support the facilitation of a habitat mapping project for the plan area and seek to take cognisance of any relevant findings from such a project

- H32** Support the facilitation of the development of a biodiversity action plan for Clifden to include the Owenglin River.

Specific objectives should also be included in the Plan related to the protection of ecological corridors/ ecological networks.

Objective H2 (as per Report on Sub 27) applies

No ecological networks or parts thereof which provide significant connectivity between areas of local biodiversity are to be lost as a result of implementation of the Local Area Plan without appropriate and reasonable remediation and/or compensatory measures.

2.2 Wetlands

Policy 3.2.3 (as per Report on Sub 27) applies

Policy 3.2.3: Seek to maintain and enhance, as far as it is practical and prudent, the natural heritage and amenity of the LAP area by seeking to encourage the preservation and retention of woodlands, hedgerows, stonewalls and wetlands. Where their removal or interference with same cannot be avoided, appropriate measures to replace like with like should be considered, subject to considerations of safety and practicality.

2.3 Appropriate Assessment

2.4 EU Protected Habitats and Species in Ireland

Appropriate Assessment will be carried out.

2.5 Fisheries

Policy 3.2.13: (as per Report on Sub 27) applies to non coastal waters
“Seek to have protected rivers, streams and other watercourses and, wherever possible, maintain them in an open state capable of providing suitable habitat for fauna and flora.”

A specific Policy should be included under Natural Heritage Policies for the “*protection of fisheries*” including in particular those listed in the Annexes of the Habitats Directive.

A policy should also be included to take into account any Guidelines from the Central Fisheries Board, and the Shannon Regional Fisheries Boards in relation to conservation of fisheries.

Consideration should also be given to the inclusion of a specific policy for the protection of freshwater pearl mussel and white clawed crayfish populations within the Plan area.

2.6 Shellfish Growing Areas

The Plan should include a specific Policy to ensure the protection of “*Shellfish Growing Areas*” within the zone of influence of the Plan.

The proposed sites for designation in County Galway include *Clifden, Mannin Bay,*

Objective H3: (as per Report on Sub 27) applies

Consider the preparation of integrated coastal zone management plans for specific areas of the coastline as the need arises, based on identified zones of vulnerability such as shellfish farming areas or expanding harbours.

2.7 Invasive Species

Invasive Species Policies

Policy 3.2.41: (as per Report on Sub 27) applies

Promote public awareness of the impact of invasive species on water systems and natural habitats and support the other statutory agencies in the control of such species.

2.8 Non-Designated Habitats and Species

Consideration should be given to the inclusion of a specific Policy under *Natural Heritage and Biodiversity Policies* to provide for enhanced protection of non-designated habitats and species and for the maintenance and enhancement of ecological corridors within the Plan area.

H30 (as per Report on Sub 27) applies

Seek to protect non-designated habitats and landscape

It was agreed to accept the recommendations in the Manager's Report

3. Landscape UD3 Building Design and Height Objectives: applies

- New development should be consistent with existing building heights.
- New development should use corner/marker buildings to define the urban structure and accentuate corners. Increased heights at these locations may be considered where proposals contain a high standard of architectural design, and adequately address issues of residential amenity.

Telecommunications and Electricity Transmission Infrastructure

Section 5.6.3 applies

4. Transportation

This is adequately covered in 3.5

5. HUMAN HEALTH -QUALITY OF LIFE

This is adequately covered in various relevant topics

6. AIR AND CLIMATIC FACTORS

Consideration should be given to the following:

This is covered for the county in CDP.

7. Waste Management

The CDP policies are considered adequate as detail is unnecessary in localized issues

Agriculture

Consideration should be given, as appropriate, to the inclusion of specific Plan policies for the "protection" / "appropriate zoning "of agricultural land" within the Plan.

This is inherent in zoning etc. throughout LAP

10. Strategic Environmental Assessment (SEA)

AS ABOVE

11. SEA and Infrastructure Planning

AS ABOVE

12. Obligations with respect to national and EU Environmental Legislation

As already detailed

It was agreed to accept the above recommendations in the Manager's Report in relation to Submission No 32 and make the necessary changes to the Draft Plan.

Ms. Flynn summarised the content of Submission No 33 and outlined the recommendation in the Manager's Report as follows

SUBMISSION No. 33

Submitted by:

**Mr. Frank Gilmore,
Director of Services,
Housing Section,
Galway County Council**

Synopsis:

The Submission is divided into two requests

Recommendation that the area north of the existing County Council Estate be zoned Residential. Industrial zoning at this location is not suitable as an adjoining zoning to residential lands.

Recommendation that the existing Convent/Orphanage and its surrounding lands be zoned as residential. The existing uses of the site are residential. A day care centre on the site is run by Clifden Sheltered Housing Association. The old Orphanage is in a state of total disrepair, cannot be rehabilitated and has none or limited architectural merit. It has already been de-listed from the Protected Structure List.

Response:

The area of land in question is zone for Enterprise and Industry, which is not necessarily incompatible with residential use. Any application for enterprise/industry would take account of the residential uses adjacent.

The use of these lands includes sheltered housing. Extension of such residential use is not incompatible with Community Facilities zoning. The Old Orphanage (The Former Industrial School) has not been delisted. RPS 593

Recommendation:

No change to Clifden Draft LAP

It was proposed by Cllr Conneely and seconded by Cllr. Walsh not to accept the recommendation in the Manager's Report and to zone the two blocks of lands the subject of submission33 as follows:

The lands the subject of submission 33 to be zoned from Enterprise and Industry to Residential and the lands the subject of Submission 33 to be zoned from Community Facilities to Residential

It was proposed by Cllr Walsh that the orphanage at Clifden be removed from the list of protected structures

Ms. Flynn reminded the Members that they had already de-zoned two areas zoned for Enterprise/Industry

Cllr Conneely stated that there were over a 100 people from Clifden on the County Council's Housing List.

SUBMISSION No. 34 (See also Sub. No. 22)

Submitted by:

**Dr. John Casey
Clifden**

Lands at Beach Road: (same person and same lands as Submission No. 22)

Synopsis:

The submission requests a change of zoning from Agriculture to Residential and Amenity use.

Response:

Re Residential Uses

1. Additional rezoning for residential uses is unjustified. The Clifden Local Area Plan Boundary zoning provides for approximately 40 hectares of undeveloped residential land that could theoretically accommodate an increase in population of approximately 3,000 persons, based on an average density of 25 units per hectare (3 persons per unit).
2. The need to comply with the recently circulated Ministerial Statutory Sustainable Residential Development Planning Guidelines [Sustainable Residential Development in Urban Areas](#) precludes arbitrary rezoning for residential purposes. The objectives of these new Guidelines includes the need to help achieve the most efficient use of urban land through housing densities that are appropriate to the location involved and availability of supporting services and infrastructure, particularly transport; and to set high standards in terms of space and facilities to meet the needs of the Irish context into the future. The new Guidelines are being issued under section 28 of the 2000 Planning Act, which requires them to be taken into account when preparing or varying development plans and local area plans.
3. The site is in an area zoned "agriculture" where Residential development within the Agricultural zone will be restricted to fully substantiated immediate family of landowners, or to people who are a fully substantiated intrinsic part of the rural community by way of background or the fact that they work full time in the town or immediately surrounding rural area. "Immediate family" refers to sons and daughters. "Immediately surrounding area" shall refer to a radius of no more than 10 miles from the town centre. As a general principle, but also subject to good planning practice in matter of location, siting, design and the protection of environmentally sensitive areas of high landscape value, such housing shall be occupied by such bona fide residents only.

Re: Amenity Uses

Certain uses which would have an Amenity aspect are open to consideration within an agricultural zoning (see Appendix 1). One example would be "Open space/Playing Pitch/Playground". Such application for usage of Amenity/Recreational nature would be taken on an individual basis on its own merits. However, it should be noted that lands specifically lending themselves to Amenity Recreational use have already been designated as such in the LAP Draft Plan zoning proposals.

It should also be noted that these lands contains a house of significant architectural merit with attendant grounds.

The land also contains trees of note and distinction, especially in a local context. Objective H5 of the Draft LAP refers to the aim to retain such trees.

Recommendation:

No change to be made to Draft Clifden LAP

This submission was already dealt with earlier in the meeting under Submission 22

Comh. Ó Tuairisg thanked Ms. Flynn for presenting the Manager's Report to the Meeting.

Chríochnaigh an cruinniú ansin.