

Gort Local Area Plan 2013-2019

Chief Executive's Report on the Proposed Deferral of Notices under Section 20(3)(a)(i) and 20(3)(a)(ii) of the Planning & Development Act 2000(as amended).

Submitted to Elected Members in accordance with Section 19 of the Planning and Development Act 2000(as amended).

Meeting of Galway County Council on 25th June 2018

**Forward Planning, Galway County Council, Áras an Chontae,
Prospect Hill,
Galway**



**Comhairle Chontae na Gaillimhe
Galway County Council**

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1. Introduction

1.1 Legislative Provisions

Section 12 of the Planning and Development (Amendment) Act 2010 (which amends Section 19 of the Principle Act), provides for the extension of the valid lifespan of a Local Area Plan, from a maximum of 6 years to an effective maximum of 10 years in total. Section 12 (a) (iii) of the Amendment Act 2010 states that:

- (d) Subject to paragraph (e), not more than 5 years after the making of the previous local area plan, a planning authority may, as they consider appropriate, by resolution defer the sending of a notice under section 20(3)(a)(i) and publishing a notice under section 20(3)(a)(ii) for a further period not exceeding 5 years.
- (e) No resolution shall be passed by the planning authority until such time as the members of the authority have:
 - (i) notified the Chief Executive of the decision of the authority to defer the sending and publishing of the notices, giving reasons therefore, and
 - (ii) sought and obtained from the Chief Executive—
 - (I) an opinion that the local area plan remains consistent with the objectives and core strategy of the relevant development plan,
 - (II) an opinion that the objectives of the local area plan have not been substantially secured, and
 - (III) confirmation that the sending and publishing of the notices may be deferred and the period for which they may be deferred.
- (f) Notification of a resolution under paragraph (d) shall be published by the planning authority in a newspaper circulating in the area of the local area plan not later than 2 weeks after the resolution is passed and notice of the resolution shall be made available for inspection by members of the public during office hours of the planning authority and made available in electronic form including by placing the notice on the authority's website.

1.2 Background to Gort LAP 2013-2019

The Gort Local Area Plan (LAP) is the main public statement of planning policies and objectives for the town of Gort. It is used in the assessment of all development proposals for the area. The Plan was adopted by Galway County Council on the 22nd July 2013 and is valid for a period of 6 years, until 22nd July 2019.

1.3 Purpose of Chief Executive's Report

This report contains the Chief Executive's advice to the Elected Members on the proposal to invoke their powers, under Section 12 of the Planning and Development (Amendment) Act 2010 (which amends Section 19 of the Principal Act), and provides for the extension of the valid life of a Local Area Plan, in this case the extension of the valid life of Gort Local Area Plan for a further period, being not greater than 5 years.

In accordance with Section 12 (a) (iii) (e) (ii) of the Planning and Development (Amendment) Act 2010, this report comprises the following:

- a) Chief Executive's opinion that the LAP is consistent with the objectives and core strategy of the Galway County Development Plan 2015-2021,
- b) Chief Executive's opinion that the objectives of the LAP have not been substantially secured, and
- c) Confirmation that the sending and publishing of the notices may be deferred and the period for which they may be deferred.

2. Chief Executive's Opinion

2.1 Consistency with the Galway County Development Plan 2015-2021

The Gort LAP 2013 was originally adopted by Galway County Council on the 22nd July 2013. At that time, the relevant County Development Plan was the Galway County Development Plan 2009-2015.

The Gort LAP is focused around the key town of Gort. The main purpose of the LAP is to facilitate the development, consolidation and improvement of the town in line with its requirements as a key Town as outlined in the Galway County Development Plan 2009-2015 and in the current Galway County Development Plan 2015-2021.

The objectives of the LAP remain consistent with the objectives and Core Strategy of the Galway County Development Plan 2015-2021. This includes the following specific areas:

2.2 Consistency with the Objectives of the County Development Plan.

The strategic objectives of the Galway County Development Plan 2015 - 2021 seeks to promote and support the development of Gort as a Key Town. All other relevant objectives in the Gort LAP are consistent with the provisions and objectives of the Galway County Development Plan 2015 – 2021.

Section 18(4)(b) of the Planning and Development Act 2000 as amended states that " A local area plan may remain in force in accordance with paragraph (a) notwithstanding the variation of a development plan or the making of a new development plan affecting the area to which the local area plan relates except that, where any provision of a local area plan conflicts with the provisions of the development plan as varied or the new development plan, the provision of the local area plan shall cease to have any effect".

1 Core Strategy and Settlement Strategy.

Under the Core Strategy, Gort is designated as a Key Town and has been assigned a population growth of 820 additional persons with a housing land requirement of 23.83Ha. This remains a valid population target. There has been limited development in Gort in the period since the adoption of the Local Area Plan and there is no evidence that this is going to change substantially in the immediate period ahead. Practically all of the 23.83 Ha that are required for phase 1 residential development remain undeveloped and the terms of the Local Area Plan limits the extent of development in Gort to that amount to ensure compliance with the Core Strategy.

2. Flood Risk Management

The Gort LAP was subject to Strategic Flood Risk Assessment and the land use zoning, policies and objectives in the Gort LAP, are consistent with the flood risk management objectives of the Galway County Development Plan 2015-2021, including Objective FL1, FL5 and FL 6, and in accordance with the Flood Risk Management Guidelines 2009.

3 Appropriate Assessment and European Sites that form part of the Natura 2000 Network

The Gort LAP 2013 was subject to Appropriate Assessment. The Gort LAP 2013 incorporated appropriate policies and objectives to ensure the protection of European sites in accordance with the Habitats Directive and the proposed amendment strengthens these protections through the appropriate zoning of designated sites to ensure the protection of European sites in accordance with the Habitats Directive and in compliance with the associated objectives of the Galway County Development Plan 2015- 2021.

4 Strategic Environmental Assessment

The Gort LAP 2013 was subject to Strategic Environmental Assessment (SEA). The LAP incorporates appropriate land use zoning, policies and objectives to ensure that the implementation of the LAP will not result in significant effects on the environment in accordance with the SEA Directive and Regulations and in compliance with the associated objectives of the Galway County Development Plan 2015-2021.

2.3 Securing the Objectives of the Gort Local Area Plan 2013-2019

There has been limited development in Gort since the adoption of the LAP in 2013.

The quantum of lands zoned for uses other than residential development has also remained largely unchanged. As such, the objectives of the Gort LAP have not been substantially secured.

2.4 Deferral of Notice and Legal Provisions

Given that the amended Gort LAP 2013-2019, is consistent with the Galway County Development Plan 2015-2021 and that the objectives of the LAP have not been substantially secured it is considered appropriate that the sending and publishing of the notices specified under Section 20(3)(a)(i) and (ii) of the Planning and Development Act 2000 (as amended) be deferred and that the period for which they be deferred should be 5 years, during which time the objectives identified in the LAP may be achieved.

3 Conclusion

In summary, it is the opinion of the Chief Executive that:

- The Gort Local Area Plan 2013-2019 is consistent with the objectives and Core Strategy of the Galway County Development Plan 2015-2021.
- The objectives of the Gort Local Area Plan have not been substantially secured.
- The sending and publishing of the notices may be deferred for a period not exceeding 5 years (i.e. 25th June 2018) and thereby the lifespan of the Gort LAP 2013-2019 is extended for a further five years (i.e. up to and including 25th June 2023).

Topic	Gort LAP Policies	Gort LAP Objectives	Galway County Development Plan 2015-2021 Polices & Objectives	Consistency between LAP & CDP
Development Strategy	2.2.5	DS1, DS2, DS3, DS4,DS5,DS6,DS7	Objectives:DS1,DS3,DS6,DS7,D S8,DS12,CS1,CS2,CS4,CS5,CS6 ,SS5	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Land Use Management Policy	3.1.2	LU1,LU2,LU3,LU4,LU5,LU6,LU7,LU8, LU9,LU10,LU11,LU12,LU13.	Policies: UHO1, TI2,R1,FL1,LCM1,SI1,AFF1,AFF2 Objectives:CS1,CS5,EDT4,EDT6, TI5,FL1	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Residential Development	3.2.2	RD1,RD2,RD3,RD4,RD5,RD6,RD7,R D8, RD9.	Policies: UHO1 & UHO2 Objectives:UHO1, UHO2, UHO3, UHO4, UHO5, UHO6, UHO7, UHO8, UHO9, UHO10, UHO11	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Social & Community Development	3.3.2	CF1,CF2,CF3,CF4,CF5,CF6, CF7, CF8,CG9,CF10.	Policies: SI1, SI2, SI3, SI4, CF1, CF2, CF3, CF4, CF5, CF6, RA1, RA2,RA3,RA4, RA5 Objectives: SI1, SI2, SI3, SI4,SI5, SI6, SI7, SI8, SI9,CF1- CF9 RA1,RA2,RA3,RA4,RA5,RA6,RA 7	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Economic Development Policy	3.4.2	ED1,ED2,ED3,ED4,ED5,ED6,ED7	Policies: EDT1-8, EDT10 Objectives: EDT1,EDT2,EDT3,EDT4,EDT5,E DT6.EDT7,EDT8,EDT9, EDT11, EDT12,EDT14, EDT17,EDT18,EDT19,EDT20,ED T24	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Transportation Infrastructure	3.5.2	TI1,TI2,TI3,TI4,TI5,TI6,TI7,TI8,TI9,TI1 0, TI11,TI12,TI13,TI14,TI15,TI16,TI17,TI 18,TI19,TI20,TI21,TI22,TI23,TI24,TI25.	Policies: TI1,TI2,TI3,TI4,TI5,TI6,TI7,TI10,T I11 Objectives: T1, TI2,T13.TI4,TI5,TI6,TI7,TI8,TI9,TI	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals

			10, TI11, TI12, TI13, TI14, TI17, TI18, TI19, TI20.	
Utility & Environmental Infrastructure	3.6.2	UI1 - UI2, UI12B, UI3, UI4, UI5, UI6, UI7, UI8, UI9, UI10, UI11, UI12, UI13, UI14, UI15, UI16, UI17, UI18, UI19, UI20, UI21, UI22, UI23, UI24, UI25.	Policies: WS1, WS2, WS3, WS4, WS5, WW1, WM1, WM2, Objectives: WS1 --WS15, WW1- WW10, WM1, WM2, WM3, WM4, WM5, WM6, WM7.	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Urban design & Place-making	3.7.2	UD1, UD2, UD3, UD4, UD5, UD6, UD7	DM Standards 1—27, 29, 31-36, 38	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Built Heritage & Cultural Heritage	3.8.2	BH1, BH2, BH3, BH4, BH5, BH6, BH7, BH8, BH9, BH10, BH11	Policies: GH1, GH2, GH3, GH4, AH1, AH2, AR1-ARC6 Objectives: AH1-AH11, ARC1-ARC7	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Natural Heritage & Biodiversity	3.9.2	NH1, NH2, NH3, NH4, NH5, NH6, NH7, NH8, NH9, NH10, NH11, NH12.	Policies: NHB1-NHB7 Objectives: NBH1, NBH2, NBH3, NBH4, NBH5, NBH6, NBH7, NBH9, NBH11, NBH12, NBH14	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals

Gort R1 ZONED LAND

R1 Zoned Lands	Title	Size	Planning Status
Site GT1-01	Land east of Glenbrack Road	0.647 ha	No extant permission
Site GT1-02	Land north of Crowe Street	1.07 ha	No extant permission
Site GT1-03	Land South of R460	6.71 ha	No extant permission
Site GT1-04	Land east of Tubber Road	0.21 ha	No extant permission
Site GT1-05	Land North West of Loughrea Road	5.21 ha	No extant permission
Site GT1-06	Land South East of Loughrea Road	5.73 ha	No extant permission
Site GT1-07	Land west of Enfield Road	2.28 ha	
Site GT1-08	Land at Rinn Dúin	1.68 ha	EOD of 15/1159 valid until 31/12/2021
TOTAL			

Gort R2 ZONED LAND

R2 Zoned Lands	Title	Size	Availability
Site GT2-01	Land east of Galway Road	1.13 ha	No extant permission
Site GT2-02	Land to the rear of Gort Rugby Club	18.27 ha	No extant permission
Site GT2-03	Land on east side of Tubber Road	7.03 ha	No extant permission
Site GT2-04	Land west of Ennis Road	21.80 ha	17/1816 5 No Dwellings granted 26/03/18
Site GT2-05	Land north east of Bothar na Hinse	5.55 ha	No extant permission
Site GT2-06	Land adjacent to the old workhouse	0.23 ha	No extant permission
Site GT2-07	Land south of Ennis Road	0.47 ha	No extant permission
Site GT2-08	Land south of Ennis Road	0.31 ha	EOD -1 no dwellinghouse

			granted 21/11/16
Site GT2-09	Land south of Circular Road	1.43 ha	No extant permission
Site GT2-10	Land east of Ennis Road	0.98 ha	18/569 Construction of 4No Dwellinghouses- awaiting decision
Site GT2-11	Land East of the Punchbowl	2.34 ha	No extant permission
Site GT2-12	Land east of Ennis Road	0.28 ha	No extant permission
Site GT2-13	Land South of the Punchbowl	2.48 ha	No extant permission
Site GT2-14	Land East of Ennis Road	5.10 ha	No extant permission
Site GT2-15		3.01 ha	No extant permission
TOTAL		70.41 ha	

Gort INDUSTRIAL ZONED LAND

I Zoned Lands	Title	Size	Availability
Site GT3-01	Land East of Galway Road	16.07 ha	No extant permission
Site GT3-02	Land adjacent to railway line	4.82 ha	No extant permission
Site GT3-03	Land West of Tubber Road	1.29 ha	No extant permission
Site GT3-04	Land East of Ennis Road	12.85 ha	No extant permission
TOTAL		35.04 ha	

Gort B&E ZONED LAND

I Zoned Lands	Title	Size	Availability
Site GT4-01	IDA PARK , Glenbrack Road	5.27 ha	17/1504 Construction of 2239m ² storage & Distribution building granted 11/12/17
TOTAL		5.27 ha	