



Galway County Council Archives

**GALWAY COUNTY COUNCIL,
COUNCIL MINUTES**

GC/1/44

6 DECEMBER 2002 - 28 MARCH 2003

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, ON FRIDAY, 28TH MARCH, 2003

CATHAOIRLEACH

Mayor P. O'Sullivan

ILATHAIR FRESIN

Baill:

Deps. J. Callanan, P. Connaughton, N. Grealish, P. McHugh, Sen. U. Burke, Cllr. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Mullins, Comh. C. Ni Fhatharta, P. O'Foighil, Cllrs. P. O'Malley, K. Quinn, S. Quinn, T. Rabbitt, M. Regan, S. Walsh, T. Walsh.

Oifigigh

D. O'Donoghue, County Manager, T. Kavanagh, P. Ridge, F. Gilmore, F. Dawson, J. Morgan, J. Cullen, Directors of Services, E. Lusby, Head of Finance, L. Gavin, Senior Engineer, L. Kavanagh, Senior Executive Engineer, T. Murphy, A. Comer, Senior Executive Officers, P. Carroll, Administrative Officer, M. Killoran-Coyne, Senior Staff Officer, T. Donoghue, Assistant Staff Officer.

Thosnaigh an cruinniu leis an paidir.

RESOLUTION OF SYMPATHY

1963

A Resolution of Sympathy was extended to the following: -

- Mr. John Cronin, Caheronaun, Loughrea, Co. Galway.
- Ms. Mary Mannion & family, The Bungalow, Moylough, Ballinasloe, Co. Galway.
- Mrs. Larry Smyth, Earlsparck, Loughrea, Co. Galway.
- Mr. Josie Loughnane & family, Innchaboy, Gort, Co. Galway.
- Mr. Brendan Killackey, Moore Street, Loughrea, Co. Galway.

Special Meeting 28/03/2003

The Mayor referred to his sense of shock on hearing of the untimely death of Mr. Murty Grealish, brother of Dep. Noel Grealish. He expressed his deepest sympathy to the Grealish family. The Members present and the County Manager, on behalf of the staff of the Council, also expressed their sympathy to the Grealish family. A minutes silence was observed, following which the Mayor declared the meeting adjourned to Saturday 29th March, at 10.00a.m.

Saturday 29th March, 2003

MANAGERS REPORT ON THE SUBMISSIONS/OBSERVATIONS RECEIVED ON THE PROPOSED AMENDMENTS TO THE DRAFT COUNTY DEVELOPMENT PLAN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 12(8) OF THE PLANNING & DEVELOPMENT ACT, 2000. 1964

The Mayor stated that the purpose of the meeting was to consider the Manager's Report on the submissions and observations received on the proposed amendments to the Draft County Development Plan. He asked the County Manager to outline the timetable for the adoption of the Draft County Development Plan.

The County Manager stated that he had been contacted by the Secretary to the Department of Environment and Local Government, who had confirmed to him that the consideration of the Draft Plan by the Council had to be completed and adopted by the 10th April 2003.

Cllr. Gavin stated that all parts of the Plan were linked and that there were five main areas of concern to consider, namely, Rural Housing Policy, Settlement Centres, Sensitivity Maps, 25 Km ring and the Gaeltacht.

Cllr. McDonagh asked whether the formal adoption of the Plan could be delayed to 22nd May 2003. The County Manager stated that the plan would be in force four weeks from 10th April and that a delay in its adoption would not be possible.

Cllr. McClean queried whether the members were now restricted to consideration of the submissions and observations received only and added that if alterations are now made which differ with what was on public display, the public would have no further opportunity to make comments on these changes. Mr Ridge stated that members were restricted to consideration of the submissions and observations on the published amendments and that there had been extensive consultation with the general public on the Draft Plan.

The members agreed to consider each of the submissions and observations one by one.

Submission Number 1

Submitted By

Agent

Dr. Michael O' Beirne,
An Teaghlach,

No Agent,

Barna Village,
Co. Galway.

Issue: Enurement Clause

Summary

Concerned that Enurement Clause will obstruct development of his property.

Response

Enurement Clauses are an important development control tool used to enforce policies. Short periods are an ineffective control measure.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

On the recommendation of Comh. C. Ni Fhatharta, seconded by Cllr. S. Walsh it was agreed that in rural areas where restrictions apply to particular classes of housing need, an Enurement condition shall apply for a period of 10 years.

Submission Number 2

Submitted By

Agent

Mr John Mulligan,
Internal Planning
Consultant, Vodafone
Ireland Limited,
Mountain View,
Dublin 18.

No Agent,

Issue: Economic Infrastructure

Summary

Telecommunications

DC Standard 25 is too restrictive in relation to mobile communications networks and will lead to a reduction in the quality of the network and to economic and social disadvantage. These issues are also raised in submission 83 from the same party.

Response

The proposed amendment is contrary to proper planning and sustainable development as it is disregards scientific evidence and international standards. It is included twice as Policy 66 and DC Standard 28(8). And concerns regarding public safety are adequately addressed in Policy 65.

Recommendation

Remove Policy 66 and Development Control Standard 28 subsection 8.

Cllr. Joyce proposed that Policy 66 be retained in the Draft Plan. Cllr. K. Quinn seconded his proposal. Cllr. McClearn stated that the recommendation of the Planning

and Economic Development Strategic Policy Committee had been to remove Policy 66, as the Council has to take account of the law of the land and that if it was left in the Draft Plan it will have no legal standing and will be challenged. The County Manager advised that the only criteria in the planning control process was to consider the proper planning and sustainable development of the area, regard being had to the Development Plan and where there is a conflict or there is not a solid basis for a policy in the Development Plan, proper planning and sustainable development takes precedence.

Cllr. Joyce stated that as representatives of the people, Members need to have a say in what development takes place, especially in areas of close proximity to masts. He stated that he has experience of companies erecting masts and skirting planning law as much as they could. Sen. Burke stated that planners should demand proof of efforts made by companies to use co-location of masts in assessing planning applications. Cllr. T. Mannion stated that people have reservations regarding masts and that there should be some policy included in the Development Plan. Cllr. Gavin stated that there was a dilemma between development of the county and the location of industry and that we are bound by the guidelines laid down in relation to masts.

Cllr. McClearn stated that while he agreed with the aspiration to have a policy on masts in the Plan, he did not want something in the Plan that has no basis if challenged in Court. Mr. Ridge stated that he understood the emotional concerns expressed by Members and by the public. He outlined the National Guidelines on controls and standards of emissions from masts and stated that the Office of Telecom Regulation audits all masts and prepares a report on whether they comply with National Guidelines. Cllr. Regan asked what technical expertise the Council has to monitor mast emissions, as the Telecom Regulation Office only monitors mast emissions on an annual basis.

Mr. Ridge replied that the emission from masts are monitored and regulated by a National Body – the Office of Telecom Regulation. An Comh. Ni Fhatharta stated that while we don't want masts, they are a fact of life. Cllr. Fahy stated that he had proposed that no mast be erected within a mile of any dwellinghouse. Mr. Ridge asked, if it was decided that masts cannot be located within 800 metres of a dwellinghouse, where will they be located. He stated that the first question that any proposed developer will be asked in relation to a proposed mast will be the question of co-location and he was satisfied that the provision in the plan will allay Members concern.

Cllr. T. Mannion proposed a 200 metre restricted area for the erection of masts. Cllr. Cunningham seconded his proposal. Cllr. Mullins stated that if National guidelines are strictly adhered to, there should not be a problem with masts. Cllr. Joyce stated that he was withdrawing his proposal in favour of the proposal by Cllr. Mannion. Cllr. Regan proposed that the recommendation of the Planning and Economic Development Strategic Policy Committee to remove Policy 66 and Development Control Standard 28 subsection 8 be accepted. Cllr. McClearn seconded his proposal.

It was agreed to take a vote on the amendment proposed by Cllr. Regan. The result of the vote was as follows:

ARSON:

Sen. U. Burke, Cllrs. S. Gavin, J.J. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Mullins, Comh. Ni Fhatharta, Cllrs. S. Quinn, K. Quinn, T. Rabbitt, M. Regan, S. Walsh (13)

IN AGHAIDH:

Dep. Callanan, Cllrs. J. Conneely, M. Cunningham, M. Fahy, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, T. Mannion, P. O' Malley, P. O'Sullivan (11)

GAN VOTAIL:

(0)

The Mayor declared the proposal carried.

Submission Number 3

Submitted By

Agent

Mr Richard Noone,
Gortatleva,
Bushypark,
Galway.

No Agent,

Issue: Development Control

Summary

Relates to permission for a specific dwelling on a non-public road and should be dealt with as a planning application.

Response

Does not address a specific amendment and may not be considered.

Recommendation

Exclude from consideration.

Mr. Ridge stated that there had been no published amendment in relation to this submission.

On the proposal of Cllr. Cunningham, seconded by Cllr. Loughnane it was agreed to exclude the submission from consideration

Submission Number 4

Submitted By

Agent

Glenlo Abbey,,
Bushy Park,

Galway,
Galway, Tuam
Road, Galway.

Mr. A.P Mc Carthy,
Planning Consultants Ltd.
1st Floor Unit 2,
Tuam Road Centre,

Issue: Landscape Assessment/Land Use Zoning

Summary

Requires that the description of the lands in question be changed.

Response

Advice has been given that the designation of the lands is not in accordance with the principles of proper planning and sustainable development. This designation is raised in other submissions.

There is no objection to using the suggested description.

Recommendation

Remove the published amendment from the Plan. If the designation is retained then the revised wording may be used.

This submission was deferred.

| Submission Number 5 | Submitted By | Agent |
|---------------------|--|-----------|
| | Mr Michael Kennedy, Chief Executive Officer, The Western Regional Fisheries Board, The Weir Lodge, Earl's Island, Galway. | No Agent, |

Issue: Economic Infrastructure

Summary

Requests an alteration to sections proposed to be deleted i.e. the inclusion of Clonbur in the list of towns for wastewater treatment.

Response

The list of schemes has been replaced by the overall policy of being directed by the Assessment of Needs document. Section 3.8 adequately deals with this.

Recommendation

Refer to Section 3.8 of the published amendments and material alterations document.

On the proposal of Cllr. Mannion, seconded by Sen. Burke it was agreed to refer to Section 3.8 of the published amendments and material alterations document.

Issue: Environmental Protection

Summary

The protection of fish spawning grounds and general water quality from surface water run-off is raised in a number of points

Response

Plan adequately provides for this, see in particular Policy 110 and DC Standard 19.

Recommendation

Recommendation not required.

On the proposal of Cllr. Mullins, seconded by Cllr. Conneely, it was agreed to accept the recommendation of the SPC and to add the words " and surface water" to the published amendment for greater clarity to give the following.

DC Standard 19: Prevention of groundwater pollution.

Development works shall have particular regard to the preservation of groundwater and surface water quality during all stages of construction.

Issue: Settlement Strategy

Summary

Designation of Maam Cross may impact on nearby lakes

Response

It is our advice that Maam should not be designated for this and other reasons.

Recommendation

Remove published amendment from the Plan.

An Comh Ni Fhatharta stated that planning advice given recently to a returned immigrant to move into a nearby settlement centre rather than locate in his own rural area was causing her great difficulty in supporting the proposed settlement strategy, if it was going to be implemented in this way.

Cllr. J.J. Mannion supported an Comh Ni Fhatharta, stating that it was not right to move a local person into a settlement area. He stated that a distinction needed to be made between those that are local and those that are not. Mr Ridge stated that he had prepared a clear recommendation for the members consideration on accommodating local people, that he had no great difficulty in distinguishing between locals and non-locals and that a strong enurement clause was required to control and regulate development. He stated that settlement strategy and rural housing policy were very closely linked, but that the rural housing policy proposed by the members will make the achievement of a settlement strategy more difficult.

Cllr. Conneely stated that he was aware of the case referred to where the applicant was advised to look for sites in Ballyconneely, Roundstone and Clifden. He stated that people like this who had a site near the family home should be accommodated.

Mr Ridge stated that if the definition of genuine local person could be agreed permissions could be considered in Class 4 areas for these persons, but that a strong enurement clause would be required to prevent selling on of the site. An Comh. Ni Fhatharta stated that she would accept the settlement strategy as interpreted, where those persons from rural areas are able to stay in their own rural area, or if they wish, to be able to opt to live in a settlement centre, but that she did not want to see a change in interpretation in a few months time. She queried whether the existing enurement agreement will have the 10 year limit applied to them.

Cllr. Loughnane stated that the question of a settlement strategy needed to be finalised. Cllr. O'Malley stated that he didn't accept the submission that the designation of Maam Cross as a settlement centre may impact on nearby lakes, that people should be given an opportunity to live in this area and that Maam Cross should be designated as a settlement centre.

The Mayor advised that if the settlement strategy is accepted it would resolve issues like this.

Cllr. J.J. Mannion asked whether categories described in "3.1.7.6" as set out under the heading "Rural Housing" on pages 56-58 of the document entitled "Amendments and Material Alterations to the Draft of the proposed Development Plan" would qualify for favourable consideration in category 5 designations. Mr Ridge read an extract from the Amendments and Material Alterations to the Draft of the proposed Development Plan entitled DC Standard 10 Class 5 on page 115/116, which set out the standard for development in class 5 areas. Cllr. Mannion stated that if the categories of persons identified in 3.1.7.6 cannot get favourable consideration, then Members will have to change the plan. Mr Ridge stated that the Rural Housing Policy is too broad and if the categories identified in the policy were allowed to build in class 5 areas, we would be effectively destroying the area. He added that he was not saying that genuine local people would be refused planning permission in class 5 areas, but the difficulty is agreeing the definition of genuine. The County Manager advised that Members should consider the implications for the future of the county, that tourism was based on the uniqueness of this county and that Members should not take short term measures, but rather define "local" and "genuine" and protect the unique characteristics of this county. Cllr. S. Walsh stated that the present Development Plan ensured that genuine local people were catered for and recommended that the Council maintain the status quo as exists.

Cllr. Conneely stated that there cannot be a blanket restriction in class 5 areas. Cllr. Joyce stated that a balance was needed between what the County Manager outlined and local needs. Cllr. J.J. Mannion stated that he was not talking about opening the floodgates for development and that 3.1.7.6 accords with the National Spatial Strategy and National Policy. Cllr. S. Walsh stated that the percentage of people in local areas that should be allowed build is small and that a blanket ban is too restrictive. Mr Ridge recommended that the Members defer a decision on the matter until they had discussed rural housing policy. He also asked the Members to reconsider the 10 year enurement clause. Cllr. Conneely proposed that the rural housing policy as set out in 4.8 and 4.9 – Policies 86, 87, 88 of the Amendments and Material Alterations to the Draft of the proposed Development Plan would apply to all of the five sensitivity classes of landscape. Cllr. J.J. Mannion seconded his proposal.

Cllr. Regan stated that Submission 32 should be included before a vote was taken. Cllr. Loughnane stated that the 25km development control zone should be given adequate consideration, that it rightfully applies to some areas, but there are huge areas where it cannot apply.

Mr Ridge stated that to agree with the proposal would not be in accordance with proper planning and sustainable development, that what Members are proposing to do will make it impossible to decide who is or who is not local. He stated that class 5 will be the same as class 1 and that what is proposed will cause great difficulty in interpretation.

Cllr. Cunningham proposed that the meeting be adjourned. Cllr. T. McHugh seconded his proposal.

A vote was taken on the amended proposal by Cllr. Cunningham and the result of the vote was as follows:

AR SON:

Cllrs. M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, T. Mannion, J. McClearn, T. McHugh, M. Mullins, P. O' Sullivan, K. Quinn, M. Regan (14)

IN AGHAIDH:

Sen. U. Burke, Cllrs. J. Conneely, J.J. Mannion, J. McDonagh, Comh. Ni Fhatharta, P. O' Malley, S. Quinn, S. Walsh (8)

GAN VOTAIL:

(0)

The Mayor declared the proposal carried

The Mayor stated that the purpose of the meeting was to consider the Manager's Report on the submissions and observations received on the proposed amendments to the Draft County Development Plan. He asked the County Manager to outline the timetable for the adoption of the Draft County Development Plan.

The County Manager stated that he had been contacted by the Secretary to the Department of Local Government and the Environment who had confirmed to him that the consideration of the Draft Plan had been completed and the Draft Plan adopted by the 10th April 2003.

Cllr. Gavin stated that all parts of the Plan were linked and that there were five main areas of concern to consider, namely, Rural Housing Policy, Settlement Centres, Sensitivity Maps, 25 Km ring and the Gaeltacht.

Sen. McDonagh asked whether the formal adoption of the Plan could be delayed to 22nd May 2003. The County Manager stated that the plan would be in force four weeks from 10th April and that a delay in its adoption would not be possible.

Cllr. McClearn queried whether the members were now restricted to consideration of the submissions and observations received only and added that if alterations are now made which differ with what was on public display, the public would have no further opportunity to make comments on

these changes. Mr Ridge stated that members were restricted to consideration of the submissions and observations on the published amendments and that there had been extensive consultation with the general public on the Draft Plan.

The members agreed to consider each of the submissions and observations one by one.

| Submission Number 1 | Submitted By | Agent |
|---------------------|--|-----------|
| | Dr. Michael O' Beirne, An Teaghlach, Barna Village, Co. Galway. | No Agent, |

Issue: Enurement Clause

Summary

Concerned that Enurement Clause will obstruct development of his property.

Response

Enurement Clauses are an important development control tool used to enforce policies. Short periods are an ineffective control measure.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

On the recommendation of Comh. C. Ni Fhatharta seconded by Cllr. S. Walsh it was agreed that in rural areas where restrictions apply to particular classes of housing need, an Enurement condition shall apply for a period of 10 years.

| Submission Number 2 | Submitted By | Agent |
|---------------------|--|-----------|
| | Mr John Mulligan, Internal Planning Consultant, Vodafone Ireland Limited, Mountain View, Dublin 18. | No Agent, |

Issue: Economic Infrastructure

Summary

Telecommunications

DC Standard 25 is too restrictive in relation to mobile communications networks and will lead to a reduction in the quality of the network and to economic and social disadvantage. These issues are also raised in submission 83 from the same party.

Response

The proposed amendment is contrary to proper planning and sustainable development as it disregards scientific evidence and international standards. It is included twice as Policy 66 and DC Standard 28(8). Ant concerns regarding public safety are adequately addressed in Policy 65.

Recommendation

Remove Policy 66 and Development Control Standard 28 subsection 8.

Cllr. Joyce proposed that Policy 66 be retained in the Draft Plan. Cllr. K. Quinn seconded his proposal.

Cllr. McClearn stated that the recommendation of the Planning and Economic Development Strategic Policy Committee had been to remove Policy 66, as the Council has to take account of the law of the land and that if it was left in the Draft Plan it will have no legal standing and will be challenged.

The County Manager advised that the only criteria in the planning control process was to consider the proper planning and sustainable development of the area, regard being had to the Development Plan and where there is a conflict or there is not a solid basis for a policy in the Development Plan, proper planning and sustainable development takes precedence.

Cllr. Joyce stated that as representatives of the people, Members need to have a say in what development takes place, especially in areas of close proximity to masts. He stated that he has experience of companies erecting masts and skirting planning law as much as they could.

Sen. Burke stated that planners should demand proof of efforts made by companies to use co-location of masts in assessing planning applications.

Cllr. T. Mannion stated that people have reservations regarding masts and that there should be some policy included in the Development Plan.

Cllr. Gavin stated that there was a dilemma between development of the county and the location of industry and that we are bound by the guidelines laid down on masts.

Cllr. McClearn stated that while he agreed with the aspiration to have a policy on masts in the Plan, he did not want something in the Plan that has no basis if challenged in Court.

Mr Ridge stated that he understood the emotional concerns expressed by Members and by the public. He outlined the National Guidelines on controls and standards of emissions from masts and stated that the Office of Telecom Regulation audits all masts and prepares a report on whether they comply with National Guidelines.

Cllr. Regan asked what technical expertise the Council has to monitor mast emissions, as the Telecom Regulation Office only monitors mast emissions on an annual basis.

Mr Ridge replied that the emission from masts are monitored and regulated by a National Body – the Office of Telecom Regulation.

An Comh Ni Fhatharta stated that while the Council don't want masts, they are a fact of life.

Cllr. Fahy stated that he had proposed that no mast be erected within a mile of any dwelling house.

Mr Ridge asked, if it was decided that masts cannot be located within 800 metres of a dwelling house, where will they be located. He stated that the first question that any proposed developer will be asked in relation to a proposed mast will be the question of co-location and he was satisfied that the provision in the plan will allay Members concern.

Cllr. T. Mannion proposed a 200 metre restricted area for the erection of masts. Cllr. Cunningham seconded his proposal.

Cllr. Mullins stated that if National guidelines are strictly adhered to, there should not be a problem with masts.

Cllr. Joyce stated that he was withdrawing his proposal in favour of the proposal by Cllr. Mannion. Cllr. Regan proposed that the recommendation of the Planning and Economic Development Strategic Policy Committee to remove Policy 66 and Development Control Standard 28 subsection 8 be accepted. Cllr. McClearn seconded his proposal.

A vote was taken on the amended proposal by Cllr. Regan and the result was as follows:

AR SON:

Sen. U. Burke, Cllrs. S. Gavin, J.J. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Mullins, Comh. Ni Fhatharta, S. Quinn, K. Quinn, T. Rabbitt, M. Regan, S. Walsh (13)

IN AGHAIDH:

Dep. Callanan, Cllrs. J. Conneely, M. Cunningham, M. Fahy, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, T. Mannion, P. O' Malley, P. O'Sullivan (11)

GAN VOTAIL:

(0)

The Mayor declared the proposal carried.

| Submission Number 3 | Submitted By | Agent |
|----------------------------|---|--------------|
| | Mr Richard Noone, Gortatleva, Bushypark, Galway. | No Agent, |

Issue: Development Control

Summary

Relates to permission for a specific dwelling on a non-public road and should be dealt with as a planning application.

Response

Does not address a specific amendment and may not be considered.

Recommendation

Exclude from consideration.

Mr Ridge stated that there had been no published amendment in relation to this submission.

On the proposal of Cllr. Cunningham, seconded by Cllr. Loughnane it was agreed to exclude the submission from consideration

| Submission Number 4 | Submitted By | Agent |
|----------------------------|---|---|
| | Glenlo Abbey, Bushy Park, Galway, Galway, Tuam Road, Galway. | Mr. A.P Mc Carthy, Planning Consultants Ltd. 1st Floor Unit 2, Tuam Road Centre, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Requires that the description of the lands in question be changed.

Response

Advice has been given that the designation of the lands is not in accordance with the principles of proper planning and sustainable development. This designation is raised in other submissions.

There is no objection to using the suggested description.

Recommendation

Remove the published amendment from the Plan. If the designation is retained then the revised wording may be used.

The Council agreed to defer discussion on this submission.

| Submission Number 5 | Submitted By | Agent |
|----------------------------|---|--------------|
| | Mr. Michael Kennedy, Chief Executive Officer, The Western Regional Fisheries Board, The Weir Lodge, Earl's Island, Galway. | No Agent, |

Issue: Economic Infrastructure

Summary

Requests an alteration to sections proposed to be deleted i.e. the inclusion of Clonbur in the list of towns for wastewater treatment.

Response

The list of schemes has been replaced by the overall policy of being directed by the Assessment of Needs document. Section 3.8 adequately deals with this.

Recommendation

Refer to Section 3.8 of the published amendments and material alterations document.

On the proposal of Cllr. Mannion, seconded by Sen. Burke it was agreed to refer to Section 3.8 of the published amendments and material alterations document.

Issue: Environmental Protection

Summary

The protection of fish spawning grounds and general water quality from surface water run-off is raised in a number of points

Response

Plan adequately provides for this, see in particular Policy 110 and DC Standard 19.

Recommendation

Recommendation not required.

On the proposal of Cllr. Mullins, seconded by Cllr. Conneely it was agreed to accept the recommendation of the SPC and to add the words “and surface water” to the published amendment for greater clarity to give the following:

*DC Standard 19: Prevention of groundwater pollution.
Development works shall have particular regard to the preservation of groundwater and surface water quality during all stages of construction.*

Issue: Settlement Strategy

Summary

Designation of Maam Cross may impact on nearby lakes

Response

It is our advice that Maam Cross should not be designated for this and other reasons.

Recommendation

Remove published amendment from the Plan.

An Comh Ni Fhatharta stated that planning advice given recently to a returned immigrant to move into a nearby settlement centre rather than locate in his own rural area was causing her great difficulty in supporting the proposed settlement strategy, if it was going to be implemented in this way.

Cllr. J.J. Mannion supported An Comh Ni Fhatharta, stating that it was not right to move a local person into a settlement area. He stated that a distinction needed to be made between those that are local and those that are not.

Mr Ridge stated that he had prepared a clear recommendation for the members consideration on accommodating local people, that he had no great difficulty in distinguishing between locals and non-locals and that a strong enurement clause was required to control and regulate

development. He stated that settlement strategy and rural housing policy were very closely linked, but that the rural housing policy was not one recommended by officials and will make the achievement of a settlement strategy more difficult. However, officials would continue to work towards achieving a settlement strategy.

Cllr. Conneely stated that he was aware of the case referred to where the applicant was advised to look for sites in Ballyconneely, Roundstone and Clifden. He stated that people like this who had a site near the family home should be accommodated.

Mr Ridge stated that if the definition of genuine local person could be agreed permissions could be considered in Class 4 areas for these persons, but that a strong enurement clause would be required to prevent selling on of the site.

An Comh. Ni Fhatharta stated that she would accept the settlement strategy as interpreted, where those persons from rural areas are able to stay in their own rural area, or if they wish, to be able to opt to live in a settlement centre, but that she did not want to see a change in interpretation in a few months time. She queried whether the existing enurement agreement will have the 10 year limit applied to them.

Cllr. Loughnane stated that the question of a settlement strategy needed to be finalised.

Cllr. O'Malley stated that he didn't accept the submission that the designation of Maam Cross as a settlement centre may impact on nearby lakes, that people should be given an opportunity to live in this area and that Maam Cross should be designated as a settlement centre.

The Mayor advised that if the settlement strategy is accepted it would resolve issues like this.

Cllr. J.J. Mannion asked whether categories described in "3.1.7.6" as set out under the heading "Rural Housing" on pages 56-58 of the document entitled "Amendments and Material Alterations to the Draft of the proposed Development Plan" would qualify for favourable consideration in category 5 designations.

Mr Ridge read an extract from the Amendments and Material Alterations to the Draft of the proposed Development Plan entitled DC Standard 10 Class 5 on page 115/116, which set out the standard for development in class 5 areas.

Cllr. Mannion stated that if the categories of persons identified in 3.1.7.6 cannot get favourable consideration, then Members will have to change the plan.

Mr. Ridge stated that the Rural Housing Policy is too broad and if the categories identified in the policy were allowed to build in class 5 areas, we would be effectively destroying the area. He added that he was not saying that genuine local people would be refused planning permission in class 5 areas, but the difficulty is agreeing the definition of genuine.

The County Manager advised that Members should consider the implications for the future of the county, that tourism was based on the uniqueness of this county and that Members should not take short term measures, but rather define local and genuine and protect the unique characteristics of this county.

Cllr. S. Walsh stated that the present Development Plan ensured that genuine local people were catered for and recommended that the Council maintain the status quo.

Cllr. Conneely stated that there cannot be a blanket restriction in class 5 areas.

Cllr. Joyce stated that a balance was needed between what the County Manager outlined and local needs.

Cllr. J.J. Mannion stated that he was not talking about opening the floodgates for development and that 3.1.7.6 accords with the National Spatial Strategy and National Policy.

Cllr. S. Walsh stated that the percentage of people in local areas that should be allowed build is small and that a blanket ban is too restrictive.

Mr Ridge recommended that the Members defer a decision on the matter until they had discussed rural housing policy. He also asked the Members to reconsider the 10-year enurement clause.

Cllr. Conneely proposed that the rural housing policy as set out in 4.8 and 4.9 –Policies 86, 87, 88 of the Amendments and Material Alterations to the Draft of the proposed Development Plan would apply to all of the five sensitivity classes of landscape.

Cllr. J.J. Mannion seconded his proposal.

Cllr. Regan stated that Submission 32 should be included before a vote was taken.

Cllr. Loughnane stated that the 25km development control zone should be given adequate consideration that it rightfully applies to some areas but there are huge areas where it cannot apply.

Mr Ridge stated that to agree with the proposal would not be in accordance with proper planning and sustainable development, that what Members are proposing to do will make it impossible to decide who is or who is not local. He stated that class 5 will be the same as class 1 and that what is proposed will cause great difficulty in interpretation.

Cllr. Cunningham proposed that the meeting be adjourned.

Cllr. T. McHugh seconded his proposal.

A vote was taken on the amended proposal by Cllr. Cunningham and the result of the vote was as follows:

AR SON: Cllrs. M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, T. Mannion, J. McClearn, T. McHugh, M. Mullins, P. O' Sullivan, K. Quinn, M. Regan (14)

IN AGHAIDH: Sen. U. Burke, Cllrs. J. Conneely, J.J. Mannion, J. McDonagh, Comh. Ni Fhatharta, Cllrs. P. O' Malley, S. Quinn, S. Walsh (8)

GAN VOTAIL : (0)

The Mayor declared the proposal carried

The meeting was adjourned at 1.30p.m. on the 29th March 2003. It was agreed to resume this meeting at 3.00p.m. on Monday 31st March 2003.

Monday 31st March, 2003

It was Proposed by Cllr. Conneely, Seconded by Cllr. JJ Mannion and agreed by the Council that consideration of scenic areas 4 & 5 be deferred.

Cllr. Loughnane asked for clarification as to which consultants prepared the Landscape Character Assessment Maps and as to whether or not they would be available to attend a meeting of the Council.

Mr. Ridge informed the meeting that the maps were prepared by W.S. Atkins on behalf of the Council. He stated that the maps were prepared on a scientific basis and that the Council had already accepted them. He informed the meeting that they were restricted to considering the Published Amendments and the Managers Report and that they were not at liberty to consider the Landscape Assessment Maps, which were not the subject of any Published Amendment in the Plan.

Cllr. Loughnane stated that the matter came up for discussion in the context of a submission and he therefore felt it should be discussed.

The Mayor said that there was no submission that dealt with Class 4.

Comh. O'Foighil informed the meeting that he was aware of a submission that dealt with Class 4.

Mr. Ridge informed the meeting that the submission did not address a particular published amendment and therefore could not be considered.

| Submission Number 4 | Submitted By | Agent |
|----------------------------|-------------------------------|--|
| | Glenlo Abbey,, Bushy Park, | Mr. A.P Mc Carthy, Planning Consultants Ltd. 1st Floor Unit 2, |

Galway,
Galway, Tuam Road,
Galway.

Tuam Road Centre,

Issue: Landscape Assessment\Land Use Zoning

Summary

Requires that the description of the lands in question be changed.

Response

Advice has been given that the designation of the lands is not in accordance with the principles of proper planning and sustainable development. This designation is raised in other submissions. There is no objection to using the suggested description.

Recommendation

Remove the published amendment from the Plan. If the designation is retained then the revised wording may be used.

The Mayor stated that maps indicating the Glenlo Abbey lands in the townland of Kentfield and showing the line of the Proposed Galway City Outer Bypass, which had been requested in relation to this submission, had now been supplied.

Mr. Ridge clarified that this submission requested that the wording of policy 21 be changed to read as follows

“ designate that portion of the Glenlo Abbey lands in the townland of Kentfield that is not traversed by the Galway City Outer By-pass, or its accommodation works, as suitable for a High Technology Campus”.

Cllr. Gavin said this proposal excludes that portion of the land required for the Galway City Outer By-pass and includes all of the other lands in the Business Park. He said it appears the developer wants all of the lands except the route of the By-pass to be included. All of the land is in the townland of Kentfield and at the moment is not divided by a road. However, the lands will be on both sides of the Proposed Outer By-pass in the future.

The County Manager advised the meeting that this is only the preferred route of the Proposed By-pass and that investigations must still be carried out.

Cllr. T. Mannion said that members need to find out the area of land in question, and to consider the maps, because if the road moves it will not go towards the river. Therefore, the maps need to be considered in order to make a decision. In a letter of support from Galway Chamber

of Commerce they say it is a zoned area of 85 acres. This seems to be substantial and not what is within the by-pass area.

The Mayor referred to a yellow copy of a map, which had been handed out to the Councillors.

Cllr. Gavin said if the entire lands have been zoned it would be on both sides of the proposed by-pass, and it is important that the by-pass is provided for. He said the proposed by-pass is going through a large portion of the land and Councillors are being asked to zone lands on both sides of this road. He indicated that the proposal to support this zoning has the support of Galway Chamber of Commerce, The IDA, Ministers etc.

Cllr. Hynes said he did not think the Council could zone lands both sides of the by-pass as they had not done this in Loughrea.

The Mayor asked what was the significance of the maps handed out.

Mr. L. Kavanagh advised that one of the Councillors had asked for a map of the entire townland of Kentfield and this with the proposed by-pass shown, had been circulated.

The Mayor suggested that the Councillors consider the proposed new wording in the submission rather than the map.

Cllr. T. Mannion said he had asked for the map to see the lands, which it was proposed to zone as the Manager had advised that the exact route of the by-pass had yet to be finalised. He said the implications of such zoning would have to be considered.

Cllr. Cunningham said he was aware that all Councillors from the Connemara area had received personnel correspondence in relation to this issue.

Cllr. Gavin said he had no personal interest in the issue but he had got registered mail in relation to it, as did all the other Councillors.

Mr. Ridge said that Sen. Burke had a copy of the map as submitted for zoning on the Draft Plan. At that time the officials recommended that

the lands not be zoned however, the Councillors decided to proceed with the zoning. This was described in the Draft Plan as a "*Glenlo Abbey Golf Club*", the owners made a submission on Proposed Amendments to the Draft Plan to have the description of the lands revised to read as follows:

"Designate that portion of the Glenlo Abbey lands in the townland of Kentfield that is not traversed by the Galway City Outer By-Pass or its accommodation works, as suitable for a High Technology Campus."

He said Cllr. T. Mannion asked for a map showing the townland of Kentfield and the proposed by-pass and that is the map, which has been circulated. He reminded Councillors that the official advise had been, not to zone these lands.

Cllr. Joyce stated that at the time of the original zoning he and Cllr. T. Mannion had voted against the proposal. He said having read the submission he found it very confusing and asked for the map and also contacted the NRA in relation to the by-pass. He said he had not received a reply from the NRA and found it difficult to understand why they had not taken a greater interest in this matter. He said he believed the Council had made a mistake in zoning these lands originally in the Draft Plan.

The Manager said similar situations had arisen in Dublin and in other areas and felt he must advise the Council that they should proceed with caution and make sure they do not jeopardise the provision of this important by-pass. He advised that the Plan could be varied at a later stage to allow for the zoning of these lands once the route of the proposed by-pass had been finalised.

Cllr. McClearn said the council did not wish to find themselves in a situation where they would interfere in any way with the proposed Galway City Outer By-Pass. He said the situation had not been made clear to the Council until today.

Cllr .T. Mannion said that regardless of the contents of the maps something very important had been said by the County Manager i.e. that the route of the by-pass has not yet been determined.

He said if the route moves it can only move one way i.e. away from the river. He said he was surprised that there was no response from the NRA in view of the fact that they acted so rapidly in relation to a similar situation in Loughrea.

Cllr. Loughnane said he believed the Council should take account of the Managers advice and he Proposed the Council do not zone the Glenlo Abbey lands as requested and that Policy 21 be removed from the Development Plan.

Cllr. Fahy Seconded the proposal and it was agreed by the Council.

**Submission Number 5
(continued)****Submitted By****Agent**

Mr Michael Kennedy,
Chief Executive Officer,
The Western Regional
Fisheries Board,
The Weir Lodge, Earl's
Island, Galway.

No Agent,

Issue: Landscape Assessment\Land Use Zoning**Summary**

Designation of Glenlo Abbey could impact on the angling at Galway Weir

Response

If development is permitted it will be properly regulated to prevent such an occurrence.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council the designation of Glenlo Abbey did not require an alteration to the Plan, as any permitted development would be regulated to ensure that it did not impact on the angling at Galway Weir.

Issue: New Issue**Summary**

A number of new issues have been raised including importance of salmon rivers, floodplains, access, parking by-laws, boat quays, vegetation, Sustainable Urban Drainage Systems, road safety, infrastructure for housing, landscaping of lakeside development, tipping of spoil material, design of local authority housing, zoning of lands, signposting a list of issues impacting on fisheries and co-operation between planning authorities.

Response

Many of the above times are not eligible for consideration at this stage. Many others are

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adequately covered within the plan having been taken into account at earlier stages of the plan process.

Recommendation

Exclude from consideration.

It was agreed that the matters raised did not warrant an alteration of the Plan.

| Submission Number 6 | Submitted By | Agent |
|---------------------|---|-----------|
| | Mr Laurence Kelly, Aisling, Tyrone, Kilcolgan, Co. Galway. | No Agent, |

Issue: Rural Housing Policy

Summary

The application deals with rural housing policy and suggests alterations in particular with reference to returning emigrants.

Response

Policy 88 deals with rural housing policy and returning emigrants. Our advice to date has been that this policy is too broad and will lead to further proliferation of random rural housing, contrary to proper planning and sustainable development and not in accordance with the National Spatial Strategy.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

A revised Rural Housing Policy document was submitted by the Councillors to the Mayor for inclusion in the Plan, to replace the existing Rural Housing Policy. The revised Policy read as follows:

Rural Housing

Rural generated housing needs arise for people who are an intrinsic part of the rural community by way of background or the fact that they work full time or part time in rural areas. As a general principle, subject to good planning practice in matters of location, siting, design and the protection of environmentally sensitive areas of high landscape value, rural generated housing needs should be accommodated in areas where they arise. In addition, measures should be adopted to ensure the provision of new housing in rural

areas subject to conditions that such housing be occupied by established members of the rural community.

With regard to urban generated rural housing in the open countryside, development driven by urban areas should take place, as a general principle, within the built up areas and on lands identified, through the development plan process for intergrated, serviced and sustainable development. However, it is acknowledged that some persons from urban areas seek a rural lifestyle with the option of working in and travelling to and from, nearby larger cities and towns. Small towns and villages have a key role in catering for these types of housing demand in a sustainable manner. A balance must be struck between encouraging appropriate residential development in villages and towns and ensuring that such development is of a design layout, character and scale which fits well with the town or village involved and presents a high quality living environment. In addition, supporting public transport and reducing dependency on car based commuting should be a priority.

Policies: Rural Housing Policy

Policy 85: *Rural housing policies shall be interpreted in conjunction with the other policies of the plan.*

Policy 86: *Take the visual amenity of the surrounding landscape into account in the design of the development.*

Policy 87A: *While it is necessary to control inappropriate residential development in the countryside (the rural areas of the County Galway outside the development boundaries of towns and villages), "one-off" development for those who are*

- (1) functionally dependent on the land, or*
- (2) who have an essential rural housing need, or*
- (3) who support the rural economy or*
- (4) are involved in rural social or economic activities will be facilitated.*

Policy 87B: *The categories of individual/applicant entitled to be considered for planning for housing development in policies 87 & 88 is restricted to those with actual proven needs for rural housing on an essential needs basis in the area and locations specified in Class 4 and 5 of the Landscape Sensitivity areas.*

Policy 87C: *Policies 87, 88, 91, 92 and 95 of this Plan shall in the event of conflict with any other element of Rural Housing Policy affecting Class 4 and 5 areas be supreme.*

Policy 87D: *The purpose of these Policies 85, 86, 87, 88, 91, 92 and 95 in Classes 4 and 5 is to permit development for Housing in areas where housing has traditionally been located, and also to ensure continuing protection of areas where such housing has not been traditionally located.*

Policy 88: *Those with an essential rural housing need will be defined as;*

- (1) *Rural families on family lands in areas and locations, where development would not otherwise be permitted.*

Eligibility under Policy 87 Clause 1 is restricted to the son or daughter of a farm holder/landowner with housing need in the area. Special consideration based on the overall merits of each case will be given to: brother, sister, grandchild, legally separated or divorced spouse, nephew or niece of the landowner or farm holder resident or employed in the area, who are an intrinsic part of the rural community.

- (2) *Special consideration will be given for residential development, in bona fide cases, for:*

- (a) *Persons with actual work or employment in a local area,*
- (b) *Returning emigrants and migrants who show satisfactory evidence of potential employment in their rural area who wish to return to an area to work and who cannot obtain lands under Policy 88(1).*

- (c) *Special consideration will be given to returning emigrants over 60 years of age returning to their rural area being their native area.*
- (3) *Local people who are indigenous to an area and who are an intrinsic part of the rural community in the area, but who do not have access to family lands under Policy 88(1) will also be facilitated in their request to build in the area.*

An eligible site in this category will be required to comply with other detailed planning requirements such as visual amenity, assimilation, siting, house design, site development, traffic safety and public health, etc.

Policy 91: *Existing families who require the replacement of an existing inhabited dwellinghouse, which shall not be sold, unless otherwise permitted for purposes incidental to the use of the new house will also be considered as within the Essential Rural Housing Need Category. If such an existing dwellinghouse poses a traffic hazard it shall be demolished.*

Policy 92: *The Council recognises that those with an essential rural housing need will be entitled, subject to the provisions of Section 4.8 Rural Housing and associated policies and Development Control Standards in particular DC Standard 11: Permissible rural housing page 115 and DC Standard 1: Residential access to National and Other Restricted Roads: page 111 to develop in rural areas and lands described in Permissible rural housing DC Standard 11: In Non-Gaeltacht rural areas, where restrictions apply to particular classes of housing need, an Enurement condition shall apply for a period of 10 years.*

Policy 95: *In some areas of County Galway distinctive settlement patterns have evolved in the form of small clusters of housing. There is a need to recognise this distinctiveness, while at the same time protecting valuable landscape*

resources and reinforcing rural communities. This can be achieved by seeking to address, within the Development Plan process, the extent to which existing clusters can be strengthened through appropriately scaled "in-fill" development and avoiding linear or ribbon development. As the same time it will be important to safeguard key resources, such as landscape and habitats.

DC Standard 11: Permissible Rural Housing.

Subject to development control provisions and the policies of this plan, it will be permitted to develop in rural areas and lands described under the Class 1 to Class 4 (inclusive) of the Landscape Sensitivity Areas. In areas Class 3 and 4 the Council may require applicants to provide a visual impact assessment of their development where the proposal is located in an area identified as "Focal Points/Views" in the Landscape Character Assessment of the County. In Class 5 areas subject to development control provisions and the policies of this plan it will be permitted to accommodate local housing needs in accordance with the terms of Rural Housing Policy specified in paragraphs 4.8, 4.9, being Policies 85, 86, 87, 88, 91, 92 and 95.

On the Islands, Islanders working on the mainland, who live on the Island when not on the mainland for work purposes and who are an intrinsic part of this rural community shall be included in the permissible Rural Housing Category defined in DC Standard 11.

Cllr. J.J. Mannion proposed that the Council adopt the revised policy submitted.

Mr. Ridge said he received this revised Rural Housing Policy document by fax at 1 o'clock today and had received a revised version just minutes before the meeting. He said he had not had time to consider it fully but it appeared to have a number of flaws.

- **In relation to Policy 92 he said it stated applicants would be "entitled" to obtain planning permission, subject to certain**

provisions. He advised that nobody is "entitled" to planning permission as the application must go through the planning process and the public have the right to object.

- In Policy 87C it states that "*Policies 87, 88, 91, 92 and 95 of this Plan shall in the event of conflict with any other element of Rural Housing Policy affecting Class 4 and 5 areas be supreme.*" He advised that no policy can be supreme as all have merits and must be considered. He said in the Draft Plan protection was granted to Class 4 & 5 and it was already stated that Class 5 was unique. He said the figures from the Tourism Office show that 945,000 tourists visited County Galway last year and spent a considerable amount of money in the locality. This tourism is based on many things and one of them is the Class 5 landscape.

He advised that if this policy is adopted by the Council the planning authority would not have sufficient control to preserve these unique areas of landscape. He asked the Council not to adopt these policies.

The County Manager said that all of the advice he had received in relation to this policy is that it is not in accordance with proper Planning and sustainable Development. He therefore gave a stern recommendation that he could not recommend it for adoption. He said decisions were being taken hastily by the council and the Officials were not being given the chance to consider their proposals.

Cllr. Walsh said the Councillors were trying to maintain a status quo. He said if these policies are not in accordance with Proper Planning and Sustainable Development, then neither is the existing Plan. He said the Councillors were not asking for anything that they did not already have. He said they were only asking to include brother, sister, nephew, niece etc. to cater for local needs.

Cllr. J.J. Mannion said this document arises out of the debate on 29th March 2003 and it deals with some of the issues which caused concern, in particular Policy 87B and 87D. He said they refer to

those with "actual proven need for Rural Housing on an essential needs basis." He said this a very difficult hurdle to overcome. He said Policy 87D allows for housing in areas where housing has traditionally been available and not where it has traditionally been unavailable. He said it does not relate to bog lands or areas with scenic views. He said such areas are still protected.

He said the other policies had been amended to accord with the Government's National Spatial Strategy. He said those with a housing need will be entitled to planning permission but this is subject to an essential proven need. He advised that this was agreed on by all seven Councillors from Connemara from all political parties. He said there was no mention of holiday homes and not a word about outsiders and it is an offence to Councillors from the area to suggest otherwise. He said this document was reasonable, rational and fair and he would not ever agree to the exclusion of a Connemara person who qualifies for housing, from consideration for such housing, within their own area.

Cllr. Loughnane said that the basic flaw is the blanket designation that has been given in some areas. It has to be recognised that there are basic key areas where you can have no development i.e., Roundstone Bog, the Burren etc. He suggested that the maps drawn up were not scientific. He reminded Cllr J.J. Mannion that the Council had already accepted these designations and this was the first challenge to the designations that had been made despite the fact that he had proposed earlier that they not be accepted and was unable to get a seconder for his proposal.

He said if there are established in an area provision must be made for them to construct dwellings that can be assimilated into the landscape. He said the public were not happy with the classifications shown on the maps but the Council must agree that there is a tourism product within the County, which must be protected.

Comh. O' Foighil said that the landscape designation of the islands would have an enormous effect on islanders who are trying to

make a living from their land. He said Councillors were trying to remove the difficulties of locals who had been unable to develop their lands because of constraints imposed on them. He said the Rural Housing Policy addresses many of the issues he had in relation to the Gaeltacht and the huge weight of opposition to the Plan, which existed in the Connemara area, would be lifted if this Policy were adopted. He said it is giving a perspective to Connemara, which is right, and the Councillors can be seen to look after their own constituents. He said he was glad to support the new Rural Housing Policy as it is good for the people of Connemara and he was also glad that all of the Councillors united in support of the people of Connemara.

Cllr. O Malley said he was also happy that all of the Councillors have come together for the good of the people of Connemara. He said tourism alone will not sustain the area. He said it is important to sustain the indigenous population and allow them to reside in their native area. He said he totally endorsed the new Rural Housing Policy and said it safeguarded the democratic rights of Connemara people.

Comh. Ni Fhatharta said it is preferable not to have opposing views between Officials and Councillors. She referred to the increase in demand for planning permission in Connemara and said this is because people are not in Boston or New York - they are back in Connemara. She said she had never supported the sale of sites or holiday homes in the area and she supported the Rural Housing document because it allowed people who have lived in Connemara and been educated there to remain there. She referred to a family of six who had emigrated and had all now returned and could satisfy the housing need requirement. She said she supported the policy, which would allow them to live in their native area. In relation to Inis Mor she referred to a planning permission for a hotel, which had now been granted and said this was necessary as people could now stay on the island as opposed to visiting for one day only. She said the people of Connemara and the islanders just wanted a chance to make a living in their native area.

Cllr. Joyce congratulated the Councillors of Connemara on working together and said he was glad to know that they had incorporated some of his thoughts in Policy 87B. He said that he was delighted to support fully the right of people to live, work, and build a home in their native area.

Cllr. Connelly also said he was delighted to support this document and he asked his fellow Councillors to do likewise. He said that the Connemara area had suffered population decline over the years but now it would be possible to allow local people to live in their local area.

Cllr. S. Quinn said he didn't think anybody, Councillors or Officials, should deny anybody the right to live where they had grown up.

Cllr. Hynes said every Councillor knows what the needs of their constituents are. He said this is a human rights issue and a Constitutional right. He said it is the Councillors function to ensure that their constituents get their rights.

The Manager said he had always acknowledged the role of members in relation to policy making. He said that the Manager and Officials have a statutory duty to advise the Council. He said they will continue to offer their advise and the Council must decide on the policy having considered that advice.

Cllr. Loughnane referred to the age stipulation in Policy 88(2)(C).

Cllr. J.J. Mannion explained that the reason for the age requirement was to cater for returning emigrants who did not qualify under other sub-sections.

Cllr. Loughnane said it was not necessary to specify an age for retirement as people may retire earlier due to health problems etc. He proposed that "over 60 years of age" be removed from Policy 88(2)(C) as it was discriminatory.

Cllr. Regan seconded the proposal and it was agreed by the Council.

It was proposed by Cllr. Cunningham, seconded by Cllr. J.J. Mannion and agreed by the Council that the new Rural Housing Policy as submitted by the Councillors and amended be accepted by the Council and included in the County Development Plan.

It was also unanimously agreed by the Council that the new Rural Housing Policy would be cross-referenced and applied to all submissions in relation to Rural Housing.

| Submission Number 7 | Submitted By | Agent |
|---------------------|---|-----------|
| | Ms. Sinead De Burca, Furbo Holiday Homes, Furbo, Spiddal, Co. Galway. | No Agent, |

Issue: Enurement Clause

Summary

Requests removal of the 20 years Enurement Clause from the plan.

Response

Enurement Clauses are an important development control tool used to enforce policies. Short periods are an ineffective control measure.

Recommendation

Recommendation not required.

It was agreed that the matter is dealt with in the Revised Rural Housing Policy.

| Submission Number 8 | Submitted By | Agent |
|---------------------|---|-----------|
| | Mr. Michael J Joyce, Regional Waste Co- Ordinator, Woodquay Court, Woodquay, Galway. | No Agent, |

Issue: Economic Infrastructure

Summary

Concerned that the provisions of Policy 58 will prevent the construction of a landfill in the county.

Response

Agreed if this policy remains it will severely inhibit future development in the county.

Recommendation

Remove published amendment from the Plan.

Cllr. McClearn stated that nobody wants a Landfill on their doorstep with no recourse to compensation whether by CPO or otherwise.

Cllr. Hynes stated that he would have serious reservations about locating a Landfill near any dwelling house and he would object to such location.

Mr. T. Kavanagh asked members to treat this very seriously as the Waste Management Plan becomes part of the County Development Plan. Therefore, there would be a complete contradiction in the Plans. If the "one mile radius" is included it would be almost impossible to locate a Landfill within the County.

Cllr. T. Mannion stated that the Waste Management Plan in force in the County is not one that was made by the members.

The County Manager acknowledged that these are not easy decisions for members, and stated that Waste Management facilities are just as important as other services such as water, for the future economic development of the County. He said there are National Policies and Guidelines from the EPA, which must be considered, and he strongly recommended that the proposed policy should not form part of the new Plan. He stated that a Waste Management Plan is in force in the County and that the powers to make such a Plan were vested in him by the Legislature. He advised that a vote would have to be taken on this, as it would be critical in the event of legal proceedings.

Cllr. Joyce said that outside agencies like Dúchas are taking away the powers of the Councillors. This is not local democracy. He said he thought it unreasonable to state that Landfills could be located within one mile of a dwelling and that all selected sites including the one on which an application for planning permission has been made, are within the Ballinasloe area. He said, even if their fears were not real at the moment, they did not know what the future would hold.

He stated that the existing Ballinasloe Landfill is well run, but it smells from time to time.

Mr. T. Kavanagh advised that if the County Development Plan conflicts with the Waste Management Plan there is sure to be legal challenges as to which takes precedence. He stated that €15 million has been spent on Ballinasloe Landfill and that they are now extracting gas from the area.

Sen. Burke asked if the County Development Plan will have retrospective affect on the sites selected.

The County Manager advised that the relevant Plan is the Plan in force at the time of the decision.

Sen. Burke then asked if Kilrickle or Newbridge were selected would the New Plan apply to them.

The Manager confirmed that it would.

Cllr. Connolly stated that the submission was made on the basis of Health and Safety concerns and that he is still concerned with Health and Safety.

Cllr. Connolly then Proposed to include an objective in the County Development Plan that Landfill sites be located not less than 1 mile from the nearest occupied dwelling house.

This was Seconded by Cllr. T. Mannion.

A vote was taken on this proposal and the result of the vote was as follows:

AR SON: Sen. U. Burke, Cllrs. J. Callanan, M. Connolly, J. Conneely, M. Cunningham, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, T. McHugh, M. Mullins, Comh. P. O'Foighil, Cllrs. P. O'Malley, P. O'Sullivan, S. Quinn, M. Regan, S. Walsh, T. Walsh (21)

IN AGHAIDH: Cllr. S. Gavin (1)

GAN VOTÁIL: Comh. C. Ni Fhatharta (1)

The Mayor declared the proposal carried

| Submission Number 9 | Submitted By | Agent |
|----------------------------|--|--------------|
| | Cllr. Tim Rabbitt, Dublin Road, Oranmore, Co. Galway. | No Agent, |

Issue: Economic Infrastructure

Summary

Remove roads named in Objective 17 from the plan namely Clarinbridge Relief Road.

Response

Relief road is necessary for the proper development of the village including the servicing of development lands.

Recommendation

Recommendation not required.

Cllr. Rabbitt withdrew this submission.

| Submission Number 10 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Jamie Young, Killary Lodge, Leenane, Co. Galway. | No Agent, |

Issue: Tourism

Summary

Requests that the provisions for rural tourism be re-enforced to ensure developments in the Killary harbour area be assured permission.

Response

Does not relate directly to a published amendment. However Policy 208 deals in general with this topic and the thrust of the plan favours sustainable rural tourism.

Recommendation

Recommendation not required.

It was Proposed by Cllr. Cunningham and Seconded by Cllr. Loughnane and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

| Submission Number 11 | Submitted By | Agent |
|-----------------------------|---------------------------|--------------|
| | Ms Fidelma Healy - Eames, | No Agent, |

Maree,
Oranmore,
Co. Galway.

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests re-zoning of family lands. *Draft Plan.*

Response

There has been no amendment regarding re-zoning in the Maree area. An application on the lands in question will be assessed under the provisions of the plan when adopted.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Cunningham and Seconded by Cllr. Loughnane and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

Submission Number 12

Submitted By

Agent

Mr Tom Burke,
Mariono House,
Furbo,
Spiddal.

No Agent,

Issue: Gaeltacht

Summary

Objects to the need to have Irish before planning permission will be granted in the Gaeltacht. Considers that the settlement areas are too big, Udaras will be unable to attract jobs, Enurement Clause is discriminatory and the Irish language is not a planning issue. Suggests that grants be made available.

Response

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council to defer discussion on this submission, as it would be dealt with under the Gaeltacht policy.

Submission Number 13

Submitted By

Agent

Dr. Bill Grealish,

No Agent,

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| | | |
|----------------------|---|-------|
| Submission Number 13 | 114 Ocean Wave, Salthill, Galway. | Agent |
|----------------------|---|-------|

Issue: New Issue

Summary

Submission deals with Claregalway Draft Plan.

Response

Not eligible for consideration.

Recommendation

Exclude from consideration.

Cllr. Loughnane stated that there is a need for a clear concise distinction between the rural county, towns, villages and settlements to be made available.

It was Proposed by Cllr. Loughnane and Seconded by Cllr. Joyce and agreed by the Council to exclude this submission from consideration, as it does not relate to a published amendment.

| Submission Number 14 | Submitted By | Agent |
|----------------------|--|----------|
| | Mr Anthony Mullins, Adrigoole, Currandulla, Co. Galway. | No Agent |

Issue: Gaeltacht

Summary

Objects to Enurement Clause and the need for the Irish language in the Gaeltacht

Response

This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to defer discussion on this submission as it would be dealt with under the policy on the Gaeltacht.

| Submission Number 15 | Submitted By | Agent |
|----------------------|--|-----------|
| | Ms. Teresa Mullins, Adrigoole, Currandulla, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to Enurement Clause and the need for the Irish language in the Gaeltacht

Response

This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council to defer discussion on this submission, as it would be dealt with under the Gaeltacht Policy.

| Submission Number 16 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Laurence Walsh (Jnr), Ballard, Barna, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to Enurement Clause and the need for the Irish language in the Gaeltacht

Response

This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council to defer discussion on this submission, as it would be dealt with under the Gaeltacht Policy.

| Submission Number 17 | Submitted By | Agent |
|-----------------------------|--|--------------------|
| | Ms Maureen Walsh, Ballard, Barna, Co. Galway. | No Agent, Agent |

Issue: Gaeltacht

Summary

Objects to Enurement Clause and the need for the Irish language in the Gaeltacht

Response

This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council to defer discussion on this submission, as it would be dealt with under the Gaeltacht Policy.

| Submission Number 18 | Submitted By | Agent |
|-----------------------------|--|--------------------|
| | Mr Michael Walsh, Ballard, Barna, Galway. | No Agent, Agent |

Issue: Gaeltacht

Summary

Objects to Enurement Clause and the need for the Irish language in the Gaeltacht

Response

This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control

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policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council that this issue would be adequately covered in the Gaeltacht Policy.

| Submission Number 19 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Michael Walsh, Ballard, Barna, Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to Enurement Clause and the need for the Irish language in the Gaeltacht

Response

This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council to defer discussion on this submission, as it would be adequately covered in the Gaeltacht Policy.

| Submission Number 20 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Adrian Cummins, Tiernascragh Development Plan, Portumna, Co. Galway. | No Agent, |

Issue: New Issue

Summary

Requires inclusion of Tiernascragh as a settlement center.

Response

Not eligible for consideration. However, Policies 7, 93 and 95 would indicate a favourable

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attitude to new development in the area.

See also submission 30.

Recommendation

Exclude from consideration.

Cllr. McClearn Proposed that Tiernascragh be included as a Settlement Centre.

Cllr. Loughnane Seconded the proposal and it was agreed by the Council.

Submission Number 21

Submitted By

Agent

Mr Pol Seoige,
Glinnsce,
Caiseal,
Conamara.

No Agent,

Issue: Gaeltacht

Summary

Remove amendment to the Gaeltacht Section

Response

No basis given for the proposal. The published plan was prepared after extensive public consultation and consideration by elected members; a radical unsubstantiated proposal of this nature is contrary to the spirit of the proposal.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to defer discussion on this submission, as it would be adequately covered in the Gaeltacht Policy.

Submission Number 22

Submitted By

Agent

Con Mc Cole Carra Mask
Corrib,
Water Protection Group Ltd,
Main Street,
Headford.

No Agent,

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Issue: Environmental Protection

Summary

The submission does not specifically address an amendment in the plan. It is concerned with water quality control.

Response

Water quality and development control standards are adequate to deal with the issues raised.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Cunningham and Seconded by Cllr. McClearn and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

Submission Number 23

Submitted By

Agent

Mr Patrick J Connor,
Kilmore House,
Galway Road,
Tuam.

No Agent,

Issue: Landscape Assessment\Land Use Zoning

Summary

Re-zoning of lands adjacent to Tuam. Part of his land holding has been zoned Commercial and requests that the balance be zoned also.

Response

The majority of the lands in question are inside the Tuam Development Plan Area.

The small portion to the rear does not refer to any amendment in the Draft Plan and as such is not eligible for consideration.

Recommendation

Exclude from consideration.

As the majority of the lands in question are inside the Tuam Development Plan area and a small portion to the rear does not refer to a published amendment, it was Proposed by Cllr. McClearn and Seconded by Cllr. Loughnane to exclude this submission from consideration. This was agreed by the Council.

Submission Number 24

Submitted By

Agent

Mr Paddy Carter,
Park,
Rosscahill,

No Agent,

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests a more liberal planning regime in the Park area.

Response

Park townland has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

There has been no published amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

It is one of five similar submissions number 24- 28 inclusive.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Loughnane and Seconded by Comh. O'Foighil and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

Submission Number 25

Submitted By

Agent

Mr Gerard Acton,
Park,
Rosscahill,
Co. Galway.

No Agent,

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests a more liberal planning regime in the Park area.

Response

Park townland has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

There has been no published amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

It is one of five similar submissions number 24- 28 inclusive.

Recommendation

Exclude from consideration.

It was Proposed by Comh. O'Foighil and Seconded by Cllr. McClearn and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

| Submission Number 26 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Paddy Sweeney, Collinamuck, Rosscahill, Co. Galway. | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests a more liberal planning regime in the Park area.

Response

Park townland has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

There has been no published amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

It is one of five similar submissions number 24- 28 inclusive.

Recommendation

Exclude from consideration.

It was Proposed by Comh. O'Foighil and Seconded by Cllr. McClearn and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

| Submission Number 27 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Richard O'Brien, Park, Rosscahill, Co. Galway. | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests a more liberal planning regime in the Park area.

Response

Park townland has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

There has been no published amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

It is one of five similar submissions number 24- 28 inclusive.

Recommendation

Exclude from consideration.

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It was Proposed by Comh. O'Foighil and Seconded by Cllr. Loughnane and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

| Submission Number 28 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Ms Mary Carter, c/o Richard O'Brien, Park, Rosscahill. | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests a more liberal planning regime in the Park area.

Response

Park townland has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

There has been no published amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

It is one of five similar submissions number 24- 28 inclusive.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Loughnane and Seconded by Comh. O'Foighill and agreed by the Council to exclude submission from consideration, as it does not relate to a published amendment.

| Submission Number 29 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr John and Gail Keenan, Tuam Road, Dunmore, Co. Galway. | No Agent, |

Issue: Settlement Strategy

Summary

Wants lands 600 meters outside Dunmore deemed suitable for development.

Response

Does not refer to a specific amendment.

Recommendation

Exclude from consideration.

Cllr. T. McHugh Proposed that each Settlement Centre be dealt with separately. Cllr. Loughnane stated that Dunmore is more than a Settlement Centre and should have its own plan.

Mr. L. Kavanagh stated that towns of population of over 500 are considered to be larger than villages. The County Manager stated that larger towns will have town plans and the SPC will deal with this issue later.

It was Proposed by Cllr. T. McHugh and Seconded by Cllr. McClearn and agreed by the Council to exclude this submission from consideration, as it does not relate to a published amendment.

| Submission Number 30 | Submitted By | Agent |
|----------------------|--|-----------|
| | Cllr. Michael Regan, Main Street, Loughrea, Co. Galway. | No Agent, |

Issue: Settlement Strategy

Summary

Requires inclusion of Tiernascragh as a settlement center.

Response

Not eligible for consideration. However, Policies 7, 93 and 95 would indicate a favourable attitude to new development in the area.

See also submission 20

Recommendation

Exclude from consideration.

It was agreed by the Council that the issues in this submission were already dealt with in submission 20 (i.e. Tiernascragh as a settlement centre).

| Submission Number 31 | Submitted By | Agent |
|----------------------|--|-----------|
| | Cllr. Michael Regan, Main Street, Loughrea, Co. Galway. | No Agent, |

Issue: Miscellaneous

Summary

Editorial correction, move Ballinakill, Moyglass and Drim from Ballinasloe table to Loughrea.

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Response

Agreed

Recommendation

Amend final printout as requested.

It was Proposed by Cllr. McClearn and Seconded by Dep. Callanan and agreed by the Council to move Ballinakill, Moyglass and Drim from Ballinasloe table to Loughrea table in the County Development Plan.

Submission Number 32

Submitted By

Agent

Cllr. Michael Regan,
Main Street,
Loughrea,
Co. Galway.

No Agent,

Issue: Settlement Strategy

Summary

Amend rural development control zone around city from 25km to 15km.

Response

The arguments against further non-essential housing, which is unrelated to the local rural community, or to farm business, have been extensively debated during the past year's work on the Development Plan. The central issues have been the extension of the city into rural areas to the detriment of the environment, causing increased road congestion, deterioration in ground water quality, erosion of landscape and other amenity. It also interferes with genuine farm activity diminishes the quality of life for the existing residents of these areas and seriously further disadvantages the peripheral areas East and West of the county. It is in contravention of the National Spatial Strategy.

See also Submission 33.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

The Mayor asked the meeting to also consider submission no. 33 from Cllr. M. Fahy, which sought to reduce the control zone around the City from 25km to 10km.

Cllr. Regan stated that on examination of the map it could be seen that the 25km zone encroaches on a lot of areas, which are not yet developed. Many GAA Clubs are within this area and would have seen no population growth over the years and therefore could not develop.

Cllr. Regan Proposed to reduce the circle shown on the map to 15km from Galway City centre.

Cllr. Hoade Seconded Cllr. Regan's proposal and stated that she felt the 25km zone extends too far out, and that if imposed, it would reach the borders of Mayo and Clare.

Cllr. Fahy stated that if a 15 km zone was to be imposed part of Kilcolgan would be within the restricted area. He proposed that if the 15km zone is to be agreed that Stradbally be excluded.

Cllr. McClearn stated that he felt there was misunderstanding among the Councillors as to the nature of the control within the 25km zone. He said categories that can build within the area are well defined. Only urban generated development is excluded. Local people and those supporting the local economy can all build within the area. He said the original proposal was to exclude the GTPS area because the Councillors did not wish to give any credibility to it. He said that he was arguing on behalf of the vast area of East Galway, which is in decline, and that the further the circle is pulled in towards Galway City the more the East of the County will decline. He said East Galway has no chance of development if the restricted area is reduced below 25km. He proposed to leave the 25km zone with the exception of any DED, which had experienced population decline or stagnation as evidenced in the figures of the last census of population.

Cllr. T. Mannion Seconded Cllr. McClearn's proposal and he stated that using a circle, as a dividing line is a "cop out". He said the DED's are definable and that he was totally opposed to reducing the 25km zone. He reminded the Councillors that in adopting a County Development Plan it must be for the entire County and not just for those near Galway City. He referred to areas in East Galway like Ballymoe, Williamstown etc and said if the Council adopt a Plan that reduces the restricted area below 25km, they have done nothing for that part of the County only helped its decline.

Cllr. Hynes said that members of the public were aware of the proposal to have a 25km-restricted zone around Galway City. He thought that many of them were confused in relation to the nature of the restrictions. He stated that he had reservations in relation to planning controls based on DED's.

Cllr. Cunningham asked for clarification as to how the 15km zone was to be measured i.e. by using a circle centred in Eyre Square or by road from Eyre Square.

Mr. Ridge stated that the Council would measure it by using a circle centred in Eyre Square.

Sen. McDonagh said that land prices in some of the villages in the environs of Galway City have doubled in the last 10 months as a result of the Settlement Policy.

Sen. Burke stated that to draw a line 25km from the centre of Galway City is unworkable. Part of East Galway is in the Clár area and the Manager would be aware of this. He said there is no scientific basis for drawing a line at the 25km point, but there was some merit for examining the DED's and in dealing with restrictions on that basis. He said something should be done in relation to areas that are suffering population decline.

Cllr. Loughnane stated that in his area Dooras, Kinvara, Maree, Stradbally, Lishen, Drumacoo, Castletaylor would all be within the 15km zone, which he felt was unacceptable.

Mr. L. Kavanagh said that the aim in the Plan was to give people a choice as to where they live. Therefore, a tiered system had been developed. The system consists of Galway City, larger towns, smaller towns and smaller villages, with different densities in each. He said officials were opposed to the 25km line, as it was not scientifically based, and would prefer G.T.P.S area, which is similar in size and scientifically based. He said the following DED's have decreased in population as evidenced in the Census of Population figures, Killanin, Galway Rural (part), Belleville, Kilthomas and Ballycahalan. He noted that two of these had decreased only marginally (Killanin and Belleville), while all of the other DED's in the area had shown increases in population.

He said that within the 15km zone most DED's had shown significant population increases. Therefore by reducing the controlled area from

25km to 15km would in effect be to suck in the population from East and West Galway to the border of the 15km zone just outside the City. He said the emphasis was on sustaining the population in rural areas.

Mr Ridge referred to Item 1- Rural Housing Policy and indicated that this item had not been addressed. He said much emphasis had been placed on the needs of rural dwellers. He said that every effort had been made to address these needs and permit people to reside in their own area. He said his proposal allowed rural families to build in their own areas, and those who lived in the area for 15 years or more would also be allowed to build in the area. If they do not have family lands they may acquire lands within their own area i.e. within 1 mile of their own home. He said he had tried to define what "local" is in order to avoid confusion. "Local" had never been defined before.

He said the proposal was to stabilise the rural communities. However, if the 25km zone is moved in, the rural communities will follow it.

Mr. Ridge referred to a document, which he had previously presented to the elected members, entitled "Comparison between the provisions of the National Spatial Strategy and the Provisions of the Draft Development Plan". He read from the document as follows:

Explanatory Note:

The following has been prepared to highlight the provisions in the National Spatial Strategy that deal with Rural Housing. Page references to the main document are given. The text is taken from the National Spatial Strategy and the comments in *italics* are provided by the Planning Department.

End of Note.

Extracts from the National Spatial Strategy

Rural housing demand issues

Page 106 "Rural generated housing needs arise for people who are an intrinsic part of the rural community by way of background or the fact that they work full-time or part-time in rural areas. As a general principle, subject to good planning practice in matters of location, siting, design and the protection of environmentally sensitive areas and areas of high landscape

value, rural generated housing needs should be accommodated in the areas where they arise. In addition, measures should be adopted by planning authorities that ensure that the provision of new housing is targeted to meet rural housing needs. This might include permitting new housing in rural areas subject to conditions that such housing be occupied by established members of the rural community.

Comment:

This is a general principle, which introduces the idea that houses might be built in the countryside under certain conditions. These conditions are spelt out later.

Page 106 "With regard to urban generated housing in the open countryside, development driven by urban areas should take place, as a general principle, within the built up areas and on lands identified, through the development plan process, for integrated, serviced and sustainable development. However, it is acknowledged that some persons from urban areas seek a rural lifestyle with the option of working in and travelling to and from, nearby larger cities and towns. Smaller towns and villages have a key role in catering for these types of housing demand in a sustainable manner. A balance must be struck between encouraging appropriate residential development in villages and towns and ensuring that such development is of a design, layout, character and scale which fits well with the town or village involved and presents a high quality living environment. In addition, supporting public transport and reducing dependency on car based commuting should be priorities. "

Comment:

This is a general principle, which introduces the idea that urban generated housing should be accommodated in towns and villages. There is no suggestion that such demand should be met in the open countryside under any conditions.

Issues in differing types of rural areas

The broad types of different areas are

- rural areas under strong urban influences
- areas with a traditionally strong agricultural base
- structurally weak areas
- areas in which there are distinctive settlement patterns.

The types of housing demand that arise and the dynamics at work in these different types of areas suggest the following responses.

Comment:

This recognises there are different types of areas and that each type requires its own policy.

Housing in rural areas under strong urban influences
Page 106 "... in relation to urban generated housing, development driven by cities and larger towns should take place within their built up areas or on lands identified, through the development plan process, for integrated, serviced and sustainable development.

Development plans should focus in particular on development possibilities in smaller towns and villages with ready access to public transport networks. "

Comment:

The hinterland of Galway City is an area under strong urban influences. There is no provision for rural housing in this area in the NSS. All of our policy proposals are more liberal than this.

Housing in rural areas with a traditionally strong agricultural base

Page 107 "... **This network of smaller towns and villages represents an important resource with much potential for additional development and population. Again, such smaller settlements would cater for the preference of people for a rural based lifestyle, while working in nearby areas, taking pressure off development in the open countryside,**"

Comment:

It could be implied from this that rural housing is accepted but that it should be limited.

Residential development in structurally weak rural areas

Page 108 "The weaker agricultural base and the weak urban structure in other parts of the Border, Midlands and in the West have led to population and economic decline. These areas are generally distant from major urban areas and the associated pressure for residential development. In general, any demand for permanent residential

development in these areas should be accommodated as it arises, subject to good practice in matters such as design, location and protection of landscape and environmentally sensitive areas. The long-term answer to strengthening structurally weak areas requires the strengthening of the structure of villages and towns in these areas. This process can be supported through the provision of services and encouraging investment in tourism supports, such as restaurant facilities and visitor accommodation, that harness in a sustainable way the potential of important local resources, such as the natural and cultural heritage, attractive landscapes and inland waterways. County development plans and county strategies should therefore contain policies of reinforcing weaker settlements to create more attractive conditions to support investment in rural development opportunities. "

Comment:

This the one area in which one-off rural housing is seen as a way to meet housing demand but only in the short term. The long-term solution is to strengthen towns and villages.

Catering for housing development in areas with distinctive settlement patterns

Page 108 "In some western seaboard areas, notably in Donegal, Mayo, Galway, Clare, Kerry and West Cork, distinctive settlement patterns have evolved in the form of small clusters of housing. There is a need to recognise this distinctiveness, while at the same time protecting valuable landscape resources and reinforcing rural communities. This can be achieved by seeking to address, within the development plan process, the extent to which existing clusters can be strengthened through appropriately scaled 'in-fill' development and avoiding linear or ribbon

development. At the same time, it will be important to safeguard key resources, such as landscape and habitats."

Comment:

In the case of the Gaeltacht an analysis of the settlement patterns that has evolved will be carried out. Policies can be derived to support and sustain as appropriate.

Further rural housing policy development

Page 109 "Like other developments, rural housing can raise difficult land use issues that must be managed to ensure the proper planning and sustainable development of the country. This Strategy sets out key framework considerations. Further detailed rural settlement policies relevant to the specific circumstances of rural settlement land use for different parts of the country will have to be worked out as part of the regional guidelines and development plan process, having regard to the broad principles set out in this Strategy."

Comment:

This emphasises that the NSS contains broad principles. It implies that these must be converted into specific policies

Mr. Ridge said that there is no proposal in the National Spatial Strategy to meet Urban Generated Demand in the open countryside. He said the Councillors had been given exactly what they had asked for and he recommended that they should consider the Rural Housing Policy first before voting on the 25km zone.

Cllr. Loughnane asked for clarification in relation to the 1-mile radius in which those who do not own a site on family lands would be considered for planning permission.

Mr. Ridge advised that the policy would create options for those who did not have family lands.

Sen. Burke said he would like Mr. Ridge to recognise that the original Plan put before the Councillors did not address the problems in East Galway until the Councillors highlighted the difficulties. He again asked for clarification on the reasoning behind the idea that if the 25km zone is moved in the population would also move in.

The County Manager reminded the Councillors that balanced development throughout the County has to be the driving force of the Plan. He said this had not happened before. Therefore, he said the Plan must put in place a balanced programme to ensure balanced development from Galway City outwards to the boundaries of the County.

Mr. Ridge asked the members to deliver a Development Plan, which is clear and unambiguous.

A vote was taken on Cllr. McClearn's proposal to retain the 25km zone with the exception of the DED's, which had experienced population decline.

The result of the vote was as follows

AR SON: Cllrs. J. Joyce, T. Mannion, J. McClearn, M. Mullins, P. O'Foighil, P. O'Sullivan, T. Walsh (7)

IN AGHAIDH: Sen. U. Burke, Cllrs. J. Callanan, M. Connolly, J. Conneely, M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, M. Loughnane, JJ Mannion, Sen. J. McDonagh, Cllrs. T. McHugh, C. Ni Fhatharta, P. O'Malley, S. Quinn, M. Regan, S. Walsh (18)

GAN VOTAIL: (0)

The Mayor declared the proposal defeated.

Cllr. Regan's proposal to reduce the 25km to 15km was then voted on.

The result of the vote was as follows

AR SON: Sen. U. Burke, Cllrs. J. Callanan, M. Connolly, J. Conneely, M. Cunningham, M. Fahy, M. Hoade, P. Hynes, M. Loughnane, JJ Mannion, Sen. J. McDonagh, Cllrs. T. McHugh, C. Ni Fhatharta, Cllrs. P. O'Malley, S. Quinn, M. Regan, S. Walsh (17)

IN AGHAIDH: Cllrs. S. Gavin, J. Joyce, T. Mannion, J. McClearn, M. Mullins, P. O'Foighil, P. O'Sullivan, T. Walsh (8)

GAN VOTAIL: (0)

The Mayor declared the proposal carried.

Cllr. Cunningham Proposed that the measurement of the 15km zone would be by road.

Cllr. Fahy Seconded Cllr. Cunningham's proposal.

Mr. Ridge pointed out that such a requirement would be unworkable as it is possible to use different roads to reach the same destination.

Therefore, the distance would depend on which road you had travelled. He asked that a boundary be drawn on a map, which would be more definitive and would allow planners to deal with applications more fairly. He advised that measuring by road has caused difficulty in the 1½-mile zones from town centres in the past, in areas where the road looped around. He said that while the officials had recommended the GTPS area be restricted the Councillors had asked for a 25km zone and then for a 15km zone. He appealed to the Councillors to at least have the controlled area determined in such a manner that it could be easily determined, identified and measured. He said he did not feel that measuring by road would achieve this requirement.

| Submission Number 33 | Submitted By | Agent |
|----------------------|--|-----------|
| | Councilor Michael Fay, Caherduff, Ardrahan, Co. Galway. | No Agent, |

Issue: Settlement Strategy

Summary

Amend rural development control zone around city from 25km to 10km.

Response

The arguments against further non-essential housing, which is unrelated to the local rural community, or to farm business, have been extensively debated during the past year's work on the Development Plan. The central issues have been the extension of the city into rural areas to the detriment of the environment, causing increased road congestion, deterioration in ground water quality, erosion of landscape and other amenity. It also interferes with genuine farm activity diminishes the quality of life for the existing residents of these areas and seriously further

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disadvantages the peripheral areas East and West of the county. It is in contravention of the National Spatial Strategy.

See also Submission 32.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development water quality, erosion of landscape and other amenity. It also interferes with genuine farm activity diminishes the quality of life for the existing residents of these areas and seriously further disadvantages the peripheral areas East and West of the county. It is in contravention of the National Spatial Strategy.

See also Submission 33.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development.

It was agreed by the Council that the content of submission 33 had been adequately dealt with in the previous submission.

| Submission Number 34 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Councillor Michael Fahy, Caherduff, Ardrahan, Co. Galway. | No Agent, |

Issue: Miscellaneous

Summary

Permission be given to farmers, in financial difficulties, to sell sites.

Response

Response not in accordance with the principles of proper planning and development. It would seriously erode the highest sensitivity rating in the Development Plan.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

Cllr. Fahy Proposed that farmers in financial difficulty be allowed sell sites.

Cllr. Cunningham Seconded his proposal.

Cllr. Connaughton said this could be unacceptable in areas of High Scenic Amenity.

Cllr. Fahy said that all details submitted by farmers would have to be totally confidential.

Mr. Ridge advised that information supplied to the Planning Office is a matter of public record and must be placed on planning files. Soon these files would be open to public inspection on the Internet. He said the selling of sites is not a consideration of Proper Planning and Sustainable Development.

Cllr. McClearn said the Council have already decided to reduce the restricted area to 15km and a person living outside that can freely sell sites, therefore he did not understand what further concessions were being sought.

Mr. Ridge said this proposal largely undermines the Landscape Strategy.

The Manager said he had noted many changes in agriculture in the past and it is indicated that the number of farmers will be significantly reduced over the next few years. He said these are issues of National Policies and it was up to the Dept. of Agriculture and the Government to deal with them.

Cllr. Fahy said this special need amendment clause must be included in the Plan as this situation could arise anywhere in the County.

Mr. Ridge stated that in relation to Class 5 unique areas, he had not had an opportunity to consider this, but perhaps those who drafted the Rural Housing Policy could reply.

The Mayor advised that there is no guarantee that a farmer selling sites would be able to obtain planning permission. He then asked Cllr. JJ Mannion if Cllr. Fahy's proposal was covered in the Rural Housing Policy.

Cllr. JJ Mannion replied that it was.

The Mayor asked who would define "financial difficulty".

Cllr. Loughnane said Cllr. Fahy's proposal was already covered in the Plan.

It was agreed to defer discussion on this submission.

| Submission Number 35 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Ciaran Hayes, Director of Services Housing Planning & Economic Development, Galway City Council, College Road. | No Agent, |

Issue: Settlement Strategy

Summary

The city supports the implementation of a settlement strategy. However, various parts of the plan run counter to a sustainable strategy in particular the increased number of settlements within the GTPS area and the open definition of persons eligible to build in rural areas. The revision of the GTPS boundary further undermines the Proposed strategy for the GTPS.

The proposal to have commercial rural enterprise may prove to be unsustainable and weaken the development of settlements.

They are unhappy with the deviation of up to 50% in the growth of settlements i.e. Policy 18.

Response

The additional number of settlements are not considered significant and would not be expected to attract major development.

Revised control zone does not take on board the full implications of the GTPS or emergence of Tuam as a hub under the NSS.

Recommendation

No rational basis given for the 25km radius inserted in policy 89 & 90 as against the prolonged study with expert opinion attached to the GTPS. Revise Policy 89 & 90.

It was agreed that this matter had been considered under Submission 32,33,34.

Issue: Economic Infrastructure

Summary

The allowable categories of persons permitted onto National Roads is too broad and is not consistent with the policy statements on section 3 Page 40, nor with National Policies.

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Response

The categories of people permitted onto National Routes is confined to sons and daughters of farm holders.

Recommendation

Recommendation not required.

The Council agreed that it was appropriate that sons and daughters of farm holders be permitted to construct dwellings on National Routes.

Issue: Economic Infrastructure

Summary

The plan is not consistent with the city development plan, which limits development along the boundaries of the city. In particular they object to the amendments relating to Glenlo Abbey, Policy 21.

Response

Advice has been given that the designation of the lands is not in accordance with the principles of proper planning and sustainable development. This designation is raised in other submissions. There is no objection to using the suggested description.

Recommendation

Remove Published Amendments, Policy 21 from the Plan

It was agreed by the Council that this point did not warrant an alteration to the Plan.

Issue: Settlement Strategy

Summary

They express concern that an unsustainable settlement strategy will undermine any rational approach to the delivery of infrastructure and may cause funding to be refused for important projects.

The co-ordination of city and county strategies will provide the best approach for the long-term benefit of both city and county.

Response

Whilst the settlement strategy may appear not to be fully compliant the amended draft provides for a more sustainable approach to deployment of population and a viable public transport system during the lifetime of this plan.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this point did not warrant an alteration to the Plan.

Issue: Miscellaneous

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Summary

The non-availability of the Strategic Environmental Assessment means they were unable to comment on same.

The EPA standards are the appropriate standards for site selection of landfill sites.

Response

No scientific basis for the policy amendment in the plan. If it is retained it will significantly reduce the options for landfill site location with consequential impact on the economic development of the county.

It is contrary to the principles of proper planning and sustainable development and contravenes the Connacht Waste Management Plan. The EPA buffer zone is based on scientific consideration by experts

Recommendation

Recommendation not required.

It was agreed by the Council that this issue had been adequately dealt with when considering submission number 8.

| Submission Number 36 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Mr Eugene McKeown, Biospheric Engineering, Barna, Co. Galway. | No Agent, |

Issue: Economic Infrastructure

Summary

Concerned that waste management facilities may be ruled out by various statements in the plan. Requests that an explicit statement to the effect that these facilities are acceptable in the "urban fringe" be included.

Response

It is accepted that waste management facilities is too broad a term and it should be defined more precisely having regard to the waste management hierarchy and the likely facilities that will be provided.

Recommendation

Define waste management facilities more precisely.

It was agreed by the Council to define Waste Management facilities more precisely.

Issue: Economic Infrastructure

Summary

Objects to the inclusion of the restriction on landfill sites.

Response

No scientific basis for the policy amendment in the plan. If it is retained it will significantly

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reduce the options for landfill site location with consequential impact on the economic development of the county.

It is contrary to the principles of proper planning and sustainable development and contravenes the Connacht Waste Management Plan.

Recommendation

Remove published amendment from the Plan.

The Council agreed that this matter had been adequately dealt with in Submission 8.

Issue: Economic Infrastructure

Summary

Concerned that the exclusion of Waste Management Facilities from residential areas will prevent the provision of bottle banks and similar facilities.

Also that one-off rural housing is causing difficulty in locating facilities at present without the application of new restrictions.

Response

Agreed.

Recommendation

Define waste management facilities more precisely and also revise Zoning Matrix to allow appropriate waste management facilities.

It was agreed by the Council to define waste management facilities more precisely and also to revise the Zoning Matrix to allow appropriate waste management facilities.

| Submission Number 37 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr James O'Connor, Clydagh, Moycullen, Co. Galway. | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Objects to restricting development in scenic areas of Moycullen and Bearna and objects to Irish language speakers only, getting permission in Conamara.

Response

Landscape designation has been carried out in accordance with National guidelines and the restrictions on rural development, which are set out in Policy 4.9 and DC 10, and 11 seek to provide for sustainable rural development in accordance with the principles of proper planning and sustainable development and the National Spatial Strategy.

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

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Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

The Council agreed that this submission did not warrant an alteration to the Plan.

| Submission Number 38 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Ms. Olive Burke, Furbo Holiday Homes, Furbo, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

| Submission Number 39 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Mr. Simon Larragher, Rinneharney, Annaghdown, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

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Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

Submission Number 40

Submitted By

Agent

Ms. Brid Hession,
Woodpark,
Annaghdown,
Co. Galway.

No Agent,

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

Submission Number 41

Submitted By

Agent

Ms. Mary Mahon,
Woodpark,
Annaghdown,

No Agent,

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

| Submission Number 42 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Gerard Farragher, Rinnharney, Annaghdown, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

| Submission Number 43 | Submitted By | Agent |
|----------------------|--------------|-------|
|----------------------|--------------|-------|

| | | |
|--|---|-----------|
| | Ms. Elizabeth Mahon, Woodpark, Annaghdown, Co. Galway. | No Agent, |
|--|---|-----------|

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

| Submission Number 44 | Submitted By | Agent |
|----------------------|--------------|-------|
|----------------------|--------------|-------|

| | | |
|--|--|-----------|
| | Ms Maura Concannon, Rinneharney, Annaghdown, Corrandulla, Co. Galway. | No Agent, |
|--|--|-----------|

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-

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drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

| Submission Number 45 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr. Ollie & Maura Lees, Leit-rinn, Inverin, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

| Submission Number 46 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mrs. Margaret Keady, Leit-rinn, Inverin, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

Submission Number 47

Submitted By

Agent

Ms. Brid Walsh,
Ballard,
Barna,
Galway.

No Agent,

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this, but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht Policy.

Submission Number 48

Submitted By

Agent

Ms Eilish Walsh,
Truskey West,
Barna,
Co. Galway.

No Agent,

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht and in particular to the Enurement Clause.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this, but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council to consider submission 38 to 48 together when considering the Gaeltacht.

| Submission Number 49 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Cllr Matt Loughnane, Dunsandle, Athenry, Co. Galway. | No Agent, |

Issue: Development Control

Summary

Concerned that the policy Proposed in Section 4.11 of the plan will force established enterprises that wish to increase in size to move to towns or commercial settlement zones.

Response

This is precisely the purpose of the policy. The individual is given the opportunity to test a business idea with minimised capital investment in lands and buildings. If the idea is successful then it should be financially possible to re-locate. The expansion of the business in its original location may be contrary to the proper planning and sustainable development of the area in question.

Recommendation

This point does not warrant an alteration to the Plan.

Cllr. McClearn said that where the development constituted a danger to the public or a traffic hazard they should be required to re-locate to a town or a commercial settlement zone.

Cllr. Loughnane said the emphasis should be on encouragement rather than forcing business to relocate.

This was accepted by the Council and it was agreed that no alteration to the Plan was required.

| Submission Number 50 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr. Walter Carr, Tonabrocky, Galway, | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Concerned that the proposal to develop Tonnabrocky Hill as a Civic Amenity Park could have serious impacts on his family. Other concerns, relating to this policy, include issues relating to ecology, road access and traffic hazard and depression of monetary value of farmlands.

Response

The area has a high civic amenity value. The conversion of this value into a formal civic park will require detailed local negotiations, which will take the concerns raised into account.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that no alteration to the Plan was required.

| Submission Number 51 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Michael Naughton, Consulting Surveyors & Engineers, Cushmaignore, Furbo, Co. Galway.. | No Agent, |

Issue: Quality of Maps and Final Print of Plan.

Summary

Clear maps

Response

A2 maps have been produced and digital copies of the maps are available on the Intranet site

Recommendation

Recommendation not required.

It was Proposed by Cllr. Regan, Seconded by Cllr. T. Mc Hugh and agreed by the Council that no alteration to the Plan or the maps was

required, as digital copies of the maps are available on the Internet and A2 maps are available in the Planning Office.

Issue: Settlement Strategy

Summary

Requests that planning boundaries be established for all villages and that zoning within these villages be established.

Response

Objective 1 to 5 provide for this.

Recommendation

Recommendation not required.

It was Proposed by Cllr. Regan, Seconded by Cllr. T. Mc Hugh and agreed by the Council that no alteration to the Plan or the maps was required, as Objectives 1 to 5 deal with the issues raised.

Issue: Settlement Strategy

Summary

Seeks the re-introduction \ maintenance of the Development Boundaries for Furbo, Knoch \ Aille, Inverin, Cornarone, Screebe, Cashel, Inis Oir, Kilmurvey.

Response

Objective 1 to 5 provide for this.

Recommendation

Recommendation not required.

It was Proposed by Cllr. Regan, Seconded by Sen. Burke and agreed by the Council that no alteration to the Plan or the maps was required, as Objectives 1 to 5 deal with the issues raised.

Issue: Settlement Strategy

Summary

Objects to blanket zoning of lands south of R336 and the requests that the views of special amenity value be re-established.

Response

The views of special amenity value are part of the landscape assessment, which is not altered, in the published amendments.

Blanket zoning is contrary to the principles of proper planning and sustainable development.

Recommendation

Remove the blanket zoning North and South of the R336 from the Final Plan.

It was agreed by the Council that this issue is adequately covered in the Gaeltacht Policy.

Issue: Miscellaneous

Summary

Requests a survey of developed areas and a review of the appendices and a definition of what terms such as "traditional" mean.

Response

These do not refer to published amendments.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. McClearn and agreed by the Council to exclude this issue from consideration as it does not relate to a published amendment.

Issue: Rural Housing Policy

Summary

Requests definition of the various terms used in Policies 85 to 89

Response

The successful implementation could benefit from such clarification.

Recommendation

Define the terms used in the Rural Housing Policy

It was agreed by the Council that this issue is adequately dealt with in the amended Rural Housing Policy.

Issue: Miscellaneous

Summary

Requests complete land use zoning for the county and the inclusion of economic development zones, allowance of site specific economic development, consideration be given in housing need category to affordability, bilingual plan, encouragement of development within zones, reversal of rural depopulation, policies on rural sustainability, details of LIS, production of a guidance document, agri-tourism, site specific tourism policies, 30 year objectives, Health and Safety, co-ordination of village and County Development Plans, discouragement of ribbon development in favour of Clachan development, discontinue discouragement of two storey houses, classification of roads, by-pass of Barna\Furbo be extended to Rossaveal, complete village plans for Barna, Spiddal and Carraroe, use metric measurements in the plan.

Response

These items do not refer to published amendments.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. T. Mannion and agreed by the Council to exclude this issue from consideration as it does not relate to a published amendment.

Issue: Settlement Strategy

Summary

Include strategic vision referred to in section 1.4.1

Response

The settlement strategy in particular and the published plan in general are the vision for the county.

Recommendation

Recommendation not required.

It was Proposed by Comh. O'Foighil, Seconded by Cllr. Hoade and agreed by the Council that no alteration to the Plan was required.

Issue: Economic Infrastructure

Summary

Commercial settlement centers should be broad ranging

Response

Noted and agreed.

Recommendation

Recommendation not required.

It was agreed by the Council to note the issues raised and no alteration to the Plan was required

Issue: Miscellaneous

Summary

Extend Galway City Outer By-pass to include Furbo to Rossaveal

Response

Does not refer to a published amendment.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. T. Mannion, Seconded by Cllr. Regan and agreed by the Council to exclude the issue from consideration as it does not relate to a published amendment.

Issue: Roads and Transportation

Summary

Develop a traffic management strategy for the county.

Response

Included as Policy 33. There is no published amendment.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. T. Mc Hugh and agreed by the Council to exclude the issue from consideration as it does not relate to a published amendment. They also indicated that the issue raised is dealt with in Policy 33.

Issue: Enurement Clause

Summary

Standard 10 year Enurement Clause for the County.

Response

As already stated there should be no time frame on the Enurement Clause as it removes the effectiveness of this provision in permitting development in controlled areas.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that this issue would be adequately dealt with under the Rural Housing and Enurement Clause Policies.

Issue: Energy Including Alternative Energy

Summary

Transition period for waste water manuals

Response

No published amendment.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. McClearn and agreed by the Council to exclude this issue from consideration as it does not relate to a published amendment.

Issue: Economic Infrastructure

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Summary

Add a policy on piers etc.

Response

No published amendment.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council to exclude this issue from consideration as it does not relate to a published amendment.

Issue: Gaeltacht

Summary

Remove para 3 of Item 10.3 Item 10.4 omit final paragraph, Item 10.5 omit sentence plus alterations to items 10.0 to 10.13. Submission also suggests that objectives and policies that relate to the Gaeltacht be altered

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

The items raised in this submission can be considered as part of the review process.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issue is adequately dealt with in the Gaeltacht Policy

Issue: Miscellaneous

Summary

Register of estate names

Response

No published amendment.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. McClearn and agreed by the Council to exclude from consideration as it does not relate to a published amendment.

Issue: Development Control

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Summary

Building lines consistent.

Response

The alterations Proposed in the plan take account of increased traffic noise and possible road widening and maintenance of roadside margins.

Recommendation

This point does not warrant an alteration to the Plan.

It was Proposed by Cllr. Regan, Seconded by Cllr. McClearn and agreed by the Council that this issue did not warrant an alteration to the Plan.

Issue: Development Control

Summary

Amend DC Standard 8

Submission of calculations to justify selection of a pipe of a particular diameter to carry the water flow in the existing roadside drain.

Response

Required to ensure that properties and roads are not flooded.

Recommendation

Recommendation not required.

It was Proposed by Cllr. Regan, Seconded by Cllr. Mullins and agreed by the Council that no alteration to the Plan was required, as this standard is required to ensure that properties and roads are not flooded.

Issue: Development Control

Summary

Amend DC 15.

Reduce site size and remove requirement for an increased site size for larger houses.

Response

Site size required to permit the incorporation of facilities for sewage treatment.

The increased site size for larger houses is not a published amendment.

Recommendation

Recommendation not required.

It was Proposed by Cllr. McClearn, Seconded by Cllr. Mullins and agreed by the Council to exclude from consideration as it did not relate to a published amendment.

Issue: Development Control

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Summary

DC Standard 16 and 17

Remove requirement for certification for de-sludging of septic tanks.

Response

Required for proper planning and sustainable development.

Recommendation

Recommendation not required.

It was Proposed by Cllr. Regan, Seconded by Comh. O'Foighil and agreed by the Council that no alteration to the Plan was required.

Issue: Development Control

Summary

DC Standard 30 and Dc Standard 31 and Zoning, and comments on various Maps. Extensive notes are included as part of the submission.

Response

Not a published amendment(s)

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. T. Mc Hugh and agreed by the Council to exclude from consideration as it did not relate to a published amendment.

| Submission Number 52 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Tom Kavanagh, Director of Services, Galway County Council. | No Agent, |

Issue: Economic Infrastructure

Summary

Objects to Policy 58 restricting landfill from within 1 mile of existing occupied houses. It points out that the EPA and the EU landfill directives require a 250-meter buffer.

Response

No scientific basis for the policy amendment in the plan. If it is retained it will significantly reduce the options for landfill site location with consequential impact on the economic development of the county.

It is contrary to the principles of proper planning and sustainable development and contravenes the Connacht Waste Management Plan. The EPA buffer zone is based on scientific consideration by experts.

Recommendation

Restrictions on the provision of landfill sites may impact on the ability of the county to attract economic investment and will be in contravention of the principles of proper planning and

sustainable development and the Connacht Waste Management Plan. The published amendment should be removed from the Plan.

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. T. Mannion and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 8.

| Submission Number 53 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Ms. Mary Naughton, Furbo, Co. Galway, | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. McClearn, Seconded by Comh. O'Foighil and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 54 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Ms. Maria Concannon, Knockanavoddy, Furbo, Co. Galway. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 55 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Noel Scofield, Inishbofin, Co. Galway, | No Agent, |

Issue: Economic Infrastructure

Summary

Objects to Blanket ban on telecommunications masts on the island and also the restrictions on agri-business due to its Sensitivity 5 rating.

Response

A strict interpretation of the plan indicates that such development is indeed excluded.

Recommendation

Special consideration should be given to Inis Bofin and the other Islands in order to accommodate local housing needs and other essential infrastructure requirements.

It was Proposed by Comh. O'Foighil, Seconded by Cllr. Mullins and agreed by the Council that the issue raised would be dealt with in an Islands Plan.

| Submission Number 56 | Submitted By | Agent |
|----------------------|--|-----------|
| | Ms Maura Naughton, Cushmaignore, Furbo, Co. Galway. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 57 | Submitted By | Agent |
|----------------------|--|-----------|
| | Ms. Fiona Ni Neachtain, Coismeig Mor, Na Forbacha, Co na Gaillimhe. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 58 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr James Naughton, Cushmaigmore, Furbo, Co. Galway. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 59 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Rory O'Toole, Coill Rua Thiar, Indreabhan, Co na Gaillimhe. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 60 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Michael O'Neachtain, Coismeig Mor, Na Forbacha, Co. na Gaillimhe. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 61 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Michael Kennedy, Chief Executive Officer, The Western Regional Fisheries Board, The Weir Lodge, Earl's Island, Galway. | No Agent, |

Issue: Environmental Protection

Summary

Create development buffer zones around Lough Corrib and that we harmonise our approach with adjoining county.

Response

The submission has merit but does not relate to a specific amendment in the plan.

Recommendation

Exclude from consideration.

It was Proposed by Comh. O'Foighil, Seconded by Cllr. Mullins and agreed by the Council to exclude this issue from consideration, as it did not relate to a published amendment.

| Submission Number 62 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Pat Lee, Cloonmore, Rosscahill, Co. Galway. | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Requests a more liberal planning regime in the Rosscahill area.

Response

This is similar to submissions number 24- 29 inclusive in which a more liberal planning regime was sought for Park townland. Similar to Park, Rosscahill has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

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There has been no amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. O'Foighil and agreed by the Council to exclude this issue from consideration, as it did not relate to a published amendment.

| Submission Number 63 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr Martin Collins, Derrybrien, Loughrea, Co. Galway. | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

Concerned that the exploitation of wind energy and the utilisation of the lands for forestry in Derrybrien area will disadvantage the local community.

Response

Development control applies standards to prevent such occurrence. In any event the submission does not relate to a published amendment

Recommendation

Exclude from consideration.

It was Proposed by Cllr. T. McHugh, Seconded by Cllr. McClearn and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 51.

| Submission Number 64 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr John Brennan, IBEC West Regional Office, Ross House, Victoria Place Galway. | No Agent, |

Issue: Economic Infrastructure

Summary

Concerned that the provisions of Policy 58 will prevent the construction of a landfill in the county.

Response

Agreed if this policy remains it will severely inhibit future development in the county.

Recommendation

Remove published amendment from the Plan.

It was Proposed by Cllr. Loughnane, Seconded by Cllr. Regan and agreed by the Council that the contents of this submission should be noted and that the issue had already been dealt with in Submission 8.

It was agreed by the Council that this issue is adequately dealt

| Submission Number 65 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr John Keaven, Marshalls Park, Maree, Oranmore. | No Agent, |

Issue: Zoning

Summary

The submission objects to Proposed zoning and wants to revert to original zoning and have SAC designation removed.

Response

The property in question is not in a zoned area. It has a high amenity rating in the current County Development Plan and has a high sensitivity rating in the Proposed draft plan. It is not in a special area of conservation but adjoins the inner Galway Bay complex SAC.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. McClearn and agreed by the Council that no alteration to the Plan was required.

| Submission Number 66 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr Gerard O'Toole, Cnocan Glas, Spiddal, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Objects to the provisions for the protection of the Gaeltacht.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to

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protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issued is adequately dealt with under the new Policy on the Gaeltacht.

| Submission Number 67 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Mr Criostoir O'Gnimh, Grallagh, Streamstorm Point, Clifden. | No Agent, |

Issue: Landscape Classification

Summary

request to revise landscape classification in a particular area, Streamstown Clifden from Class 5 to Class 4.

Response

This is not relevant to a material alteration in the amended draft.

Recommendation

Exclude from consideration.

It was agreed by the Council to exclude this issue from consideration, as it did not relate to a published amendment.

| Submission Number 68 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Ms. Eileen Tighe, Cappagh, Barna, Galway. | No Agent, |

Issue: Gaeltacht

Summary

Suggests that the Irish language and culture must be protected, people in the Gaeltacht must be allowed build and provide sites for their children and that language support facilities be put in

place.

Also suggests development be promoted in remote areas.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

The policies currently in the plan take these issues into account and any revision should also do same.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issued is adequately dealt with under the new Policy on the Gaeltacht.

| Submission Number 69 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Ms. Cathy Ni Ghoil, Caothairleach, Comhdhail Oileain na hEireann, Inis Oirr. | No Agent, |

Issue: Gaeltacht

Summary

Lack of clarity regarding planning on the Galway Islands.

Opposed to Class 5 designation for the islands.

Requirement that islanders that propose to build on the island must sell mainland property.

Considers that the site size requirement is inappropriate.

Response

These points are addressed in DC Standard 10, however there are anomalies that require to be addressed by a more comprehensive policy statement on island development. The issue of telecommunications was raised in Submission 55 and the following recommendation was made

"Special consideration should be given to Inis Bofin and the other islands in order to accommodate local housing needs and other essential infrastructure requirements."

The issues raised in this submission could be dealt with as part of this process; this does not indicate that the points raised are accepted in full.

Recommendation

Special consideration should be given to Inis Bofin and the other Islands in order to accommodate local housing needs and other essential infrastructure requirements.

It was agreed by the Council that this issued is adequately dealt with under the new Policy on the Gaeltacht.

Submission Number 70**Submitted By****Agent**

Mr Simon J Kelly,
Cromleach,
Barna,
Co. Galway.

No Agent,

Issue: Gaeltacht**Summary**

Suggests alterations to sections 10.3, 10.4, 10.5, 10.11 and 10.12.

Generally proposes a liberalisation of the provisions of the plan.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

The concerns that the provisions will stymie social and cultural development are arguably well founded.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issued is adequately dealt with under the new Policy on the Gaeltacht.

Submission Number 71**Submitted By****Agent**

Ms. Mary Hanna,
Architect,
The Heritage Council,
Kilkenny.

No Agent,

Issue: Record of Protected Structures**Summary**

Challenges the exclusion of bridges and churches and other buildings without apparent proper appraisal in particular 3 structures which received public funding: Graigue Abbey House, Innisfail Eyrecourt and Claregalway Bridge.

Response

The submission and its content are accepted. The removal of these structures was not based on properly carried out assessment and is in contravention of the Planning and Development Act requirements, national policy and the Granada Convention.

Recommendation

Re-include the buildings in the Record of Protected Structures as previously proposed. This can be achieved by removing the relevant amendments.

Cllr. T. Mannion said the Council should proceed with caution in relation to bridges, which are going to be in every day use. The Roads Section have competent people who can consider repairs and maintenance required.

Cllr. Joyce indicated that he was aware that some of these structures had already received grant aid.

Cllr. Loughnane said in the submission from the Heritage Council he had mentioned three structures which had received funding i.e. Graigue Abbey House, Inishfail, Eyrecourt and Claregalway Bridge.

He said these are worthy of preservation and must be included in the Record of Protected Structures.

The Manager said some detailed discussion is required in this area and he suggested that the matter be considered by the Planning SPC with the assistance of the Cultural & Heritage SPC & the Roads & Transportation SPC as required. He said this area is covered by the Planning & Development Act 2000 and Councillors can amend the Record of Protected Structures at any time.

Mr. Ridge advised that amending the Record of Protected Structures is a straightforward procedure under Section 55 of the Planning & Development Act 2000.

Cllr. Loughnane suggested that rather than three of the five SPC's dealing with Protected Structures it would be best dealt with by the full Council.

The Manager advised that his intention was it would be a working group, which consisted of the Director of Services from the SPC's and the Chairpersons.

Mr. Ridge stated that the Council is obliged to include a Record of Protected Structures in its Development Plan. He said the Council

have indicated that they wished to remove all bridges and churches from this list. This would amount to 50 or 60 structures, which need to be fully considered.

Cllr. Loughnane said that the SPC had recommended that the bridges be re-included as they were owned by the Council who should lead by example and it would not be appropriate to remove their own property by leaving all other structures listed.

Mr. Ridge advised that the SPC recommendation was that the Local Authority be treated the same as the private sector. They recommended that the structures removed be left in and be considered fully at a later date if required.

Mr. Ridge advised that the Council could be in difficulty if they removed the structures without proper consideration.

Cllr. Regan proposed that the structures proposed to be removed be left on the list with the exception of Inishfail House.

Cllr. Loughnane proposed that the structures proposed to be removed be left on the list until they could be further considered at a later date.

Cllr. K. Quinn seconded this proposal and it was agreed by the Council to re-list all buildings.

The meeting was adjourned at 7.00p.m. on the 31st March 2003. It was agreed to resume this meeting at 2.30p.m. on Wednesday 2nd April 2003.

Wednesday 2nd April, 2003

| Submission Number 72 | Submitted By | Agent |
|----------------------|---|-----------|
| | Councillor Seamus Walsh, Glan, Oughterard, Co. Galway. | No Agent, |

Issue: Gaeltacht

Summary

Suggested amendments to Sections 10.3,
Remove paragraph 3, which introduces the concept of granting permission only to the Irish language speakers along the Barna to Carna strip from text and to replace it with a pro-active and facilitating policy towards locals and returning locals.

Suggested amendments to Sections 10.4. Number 1
Suggests that a less definite significance be attributed to the role of the Gaeltacht in the efforts to preserve the Irish language.

Suggested amendments to Sections 10.4. Number 2
Suggests the removal of statements of fact regarding the status of the Gaeltacht and their replacement with a Proposed Government programme of support for weaker Gaeltachts yet to be published.

Suggested amendments to Sections 10.5,
Soften the obligations, which the plan places on the Planning Authority to protect the language and adjudicate on applications. It also proposes to insert Udaras in the decision making process.

Suggested amendments to Policy 232,
Makes policy 232 subject to the overall county wide rural housing policy and suggests that extensions for students be permitted subject to proper sanitary facilities.

Suggested amendments to Policy 233,
Suggests a softening of the policy on signage.

Suggested amendments to Policy 234,
Suggests that the planning applications on the boundary of the Gaeltacht be referred to Udaras for comment.

Suggested amendments to Sections 10.6.
Suggests a softening of the planning authority's responsibilities.

Suggested amendments to Sections 10.11
Changes the emphasis in 10.11 from acquiring competence in the Irish language before a grant to the provision of a system that will enable it to be acquired after permission is granted.

Suggested amendments to Sections 10.12,
Suggests the removal of a statement, which communicates the Planning Authority's stance on commercial and industrial development within the Gaeltacht.

Suggested amendments to Sections 10.13
Proposes a new role for a planning authority in communicating and broadcasting the language competence of an applicant after the grant of permission.

Suggested amendments to Policy 237.
Suggests the reduction of the Enurement Clause period from 20 to 10 years.

New policy with regard to settlements
recommends the preparation of area action plans for the settlement areas in partnership with Udaras Na Gaeltachta and as part of this process the impact of local houses and holiday homes

should be considered.

Suggests the addition of a new policy recognising importance and decline of the Gaeltacht
Suggests that the Council take the initiative in bringing together the various bodies with responsibility for services in the Gaeltacht and that a compulsory and restrictive approach be avoided.

Response

The submission address issues raised in whole or part in many other submissions. It highlights the need to avoid a restrictive or compulsory approach. This is accepted and as stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issued is adequately dealt with under the new Policy on the Gaeltacht.

| Submission Number 73 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Stephen Dowds, Stephen Dowds Associates, Town Planning Consultants, Town Park Centre, Tuam Road Galway. | No Agent, |

Issue: Settlement Strategy

Summary

Requests that Cahertermore be designated a settlement center.

Response

Does not refer to a specific amendment. This was also raised at pre-draft stage.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. Loughnane and agreed by the Council to exclude this issue from consideration, as it did not relate to a published amendment.

| Submission Number 74 | Submitted By | Agent |
|----------------------|---|-----------|
| | Cllr Mary Hoade, Cahernaheena, Headford, Co. Galway. | No Agent, |

Issue: Settlement Strategy

Summary

Suggests village plans be used in preference to the 500metre boundary Proposed.

Response

The 300 - 500-meter distance is proposed as indicative of the likely extent of the development boundary and will be required until the various plans are prepared. See objectives 1 to 5.

Recommendation

Recommendation not required.

It was agreed that this matter is dealt with in the revised Rural Housing Policy.

Issue: Gaeltacht

Summary

Remove policies 235 and 236 LIS and objects to Section 10.8 as written as it would inhibit the proper development of towns.

Considers policy on emigrants to be unworkable and that the Enurement Clause should be reduced to 10 years.

Response

The submission address issues raised in whole or part in many other submissions. As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed that this issue would be adequately dealt with under the Gaeltacht Policy.

Issue: Settlement Strategy

Summary

Retain the following Proposed deletions

(1) "In rural areas where an existing cluster has developed over time through a combination of one off houses consideration will be given to infill developments where they can be

accommodated in accordance with the settlement policies of this plan."

(2) "Backland developments may be considered where they accord to the cluster housing layouts or are unlikely to result in traffic hazard."

Response

The provision of clustered housing in adequately covered in Policy 95:

"In some areas of County Galway distinctive settlement patterns have evolved in the form of small clusters of housing. There is a need to recognise this distinctiveness, while the same time protecting valuable landscape resources and reinforcing rural communities. This can be achieved by seeking to address, within the Development Plan process, the extent to which existing clusters can be strengthened through appropriately scaled in-fill development and avoiding linear or ribbon development. At the same time it will be important to safeguard key resources, such as landscape and habitats."

It is also referred to in Policies 17,20 and DC Standard 16 and 29.

The Proposed deletions were recommended because they are not sustainable.

Recommendation

It is not recommended that the Proposed deletion be retained.

It was agreed that the issue raised would be adequately dealt with in Policy 95 and in the revised Rural Housing Policy.

Issue: Settlement Strategy

Summary

Requests that the Proposed deletion on the townland pattern of settlement be retained and applied to the whole county i.e.

"The Planning Authority recognizes that there has been a settlement pattern in the Gaeltacht that relates to local towns (Bailte) rather than a quasi-urban model of housing estates or terraces. Therefore local people wishing to build on family lands in the said towns (Bailte) will be facilitated by the Planning Authority in this regard. Local people will include sons, daughters, grandsons, granddaughters, nieces or nephews of the landowner. People with genuine work related housing needs in the Conamara Gaeltacht who do not own family lands will also be facilitated as will those who are indigenous to the area but do not own family land."

Response

The actual deletion has been re-incorporated in the Gaeltacht section.

Policies 6 and 7 adequately cover the categories of applicant mentioned in the submission.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed that these issues would be dealt with in the revised Rural Housing Policy and the Gaeltacht Policy.

Issue: Development Control

Summary

Requests re-instatement of (1) the Enurement Clause text.
(2) The provision of a shared access onto the national roads.

Response

(1) The text was deleted because it is essentially a matter for development control and is not appropriate to include it in the plan.

(2) Contrary to National Policy

Recommendation

Recommendation not required.

It was proposed by Cllr. Hoade and seconded by Sen. Burke and agreed by the Council that an alteration to the Plan was not required.

Issue: Miscellaneous

Summary

Include explicit reference to social, cultural and demographic heritage.

Response

Covered in bullet point 1 page 10

"Guide the development and use of land in the public interest."

and Policy 231.

Recommendation

Recommendation not required.

It was proposed by Cllr. Hoade and seconded by Cllr. McClearn and agreed by the Council that an alteration to the Plan was not required.

Issue: Miscellaneous

Summary

Change the definition of sustainable development and replace it with a definition, which is non-viable and unsustainable when assessed in accordance with proper planning and sustainable development principles

Response

The Proposed alteration does not comply with the principles of proper planning and sustainable development.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was proposed by Cllr. Hoade and seconded by Cllr. McClearn and agreed by the Council that an alteration to the Plan was not required.

Issue: Landscape Assessment\Land Use Zoning

Summary

Remove the concept of an urban fringe from the plan.

Response

A failure to provide for an urban fringe will mean that it will not be possible to locate certain essential services, such as wastewater treatment and solid waste management facilities. This is already a problem and generating extra expenditure in provision of these.
It is also necessary to create a clear divide between urban and rural areas.

Recommendation

Recommendation not required.

It was proposed by Cllr. Hoade and seconded by Cllr. Mullins and agreed by the Council that an alteration to the Plan was not required.

Issue: Landscape Assessment\Land Use Zoning

Summary

Alter the text of plan to place emphasis on "the existing inhabited environment" and view rural areas in terms of social ethos and cultural heritage.

Response

The text in plan is more precise and deals with rural areas in terms of their rural character.

Recommendation

Recommendation not required.

It was proposed by Cllr. Hoade and seconded by Cllr. Mullins and agreed by the Council that an alteration to the Plan was not required.

Issue: Settlement Strategy

Summary

Paragraph 1.4.3

Proposes to remove the link between the use of resources and development.

Removes the requirement that new development away from existing settlement should be restricted and assumes that landscaping and sensitive location are adequate to mitigate adverse effects of any such development.

Paragraph 1.5

Proposes the insertion of text relating to "the social and cultural ethos of the inhabited environment"

Response

This is not in compliance with the principles of proper planning and sustainable development, the National Spatial Strategy and indeed other provisions within this plan.

It is also vague and subject to various interpretations and would lead to problems at plan implementation stage.

Recommendation

Recommendation not required.

It was agreed by the Council that no alteration to the Plan was required and this issue would be adequately dealt with under the revised Rural Housing Policy.

Issue: Settlement Strategy

Summary

Proposes to replace text taken directly from the National Spatial Strategy.

Response

The Proposed replacement text is contrary to the National Spatial Strategy and the principles of proper planning and sustainable development and the categories are so broad that practically any one can qualify for housing in the rural areas.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that no alteration to the Plan was required.

Issue: Rural Housing Policy

Summary

Proposes the addition of three more classes to the broad list of eligible persons.

And that the eligibility of all family members should be equal under the plan.

Response

These are adequately catered for in policy 88.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issue would be adequately dealt with under the revised Rural Housing Policy.

Issue: Settlement Strategy

Summary

Amend policies 89 and 90 to reduce rural development control zone around city from 25km to 15km.

Response

The arguments against further non-essential housing, which is unrelated to the local rural

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community, or to farm business, have been extensively debated during the past year's work on the Development Plan. The central issues have been the extension of the city into rural areas to the detriment of the environment, causing increased road congestion, deterioration in ground water quality, erosion of landscape and other amenity. It also interferes with genuine farm activity diminishes the quality of life for the existing residents of these areas and seriously further disadvantages the peripheral areas east and West of the county. It is in contravention of the National Spatial Strategy.

See also Submission 33.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was Proposed by Cllr. Hoade, Seconded by Cllr. Callanan and agreed by the Council that this issue had already been dealt with under submission 32.

Issue: Miscellaneous

Summary

New policy to promote the development of a new ferry service between Kilbeg and Knockferry.

Response

Does not refer to a published amendment

Recommendation

Exclude from consideration.

It was agreed by the Council that this issue did not warrant an alteration to the Plan, as it did not deal with a published amendment.

Issue: Enurement Clause

Summary

Reduce enurement from 20 years to 10 years.

Response

Enurement Clauses are an important development control tool used to enforce policies. Short periods are an ineffective control measure.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was Proposed by Cllr. Hoade, Seconded by Cllr. O'Malley and agreed by the Council to reduce all enurement clauses from 20 years to 10 years.

Issue: Development Control

Summary

Alteration to text on site size.

Response

This is already catered for in the relevant policy

Recommendation

Recommendation not required.

It was agreed by the Council that no alteration to the Plan was required.

Submission Number 75

Submitted By

Agent

Mr Jim Larkin,
Larkin Quarries Ltd,
Bantrach,
Baile na hAbhann.

No Agent,

Issue: Economic Infrastructure

Summary

Larkins are quarry operators in Seanafeistin, Oughterard and wish to have quarry and surrounding lands recognised for their importance to the commercial and economic life of the area. They require an appropriate zoning for the area.

Response

This proposal was made at initial Draft stage and was not considered for amendment in the Draft Plan. The submission may not be considered, as it does not relate to a published amendment.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Regan, Seconded by Cllr. Loughnane to exclude this issue from consideration as it does not relate to a published amendment.

Submission Number 76

Submitted By

Agent

Mr Murt O'Cualain,
Cathaoirleach,
Coiste Forbartha na
bhForbacha,
Na Forbacha.

No Agent,

Issue: Gaeltacht

Summary

Supports language policy for Gaeltacht, nobody should be required to move out on sustainability or community grounds.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issue would be adequately dealt with in the Gaeltacht Policy.

Issue: Gaeltacht

Summary

Enurement Clause should be 10 years maximum.

Response

Enurement Clauses are an important development control tool used to enforce policies. Short periods are an ineffective control measure.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council that this issue would be adequately dealt with in the Gaeltacht Policy.

Issue: Rural Housing Policy

Summary

Every local person should be entitled to live in their own townland.

Response

Policies on rural housing in section 4.8 and 4.9 address these issues.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issue would be adequately dealt with in the revised Rural Housing Policy.

Issue: Rural Housing Policy

Special Meeting 28/03/2003

Summary

Tradition of house building in an area to continue with single housing on 1/2-acre site.

Response

There are no policies in the draft Development Plan to prevent the provision of housing on 1/2-acre site provided the principles of proper planning and sustainable development are upheld.

Recommendation

Recommendation not required.

It was agreed by the Council that this issue would be adequately dealt with in the revised Rural Housing Policy.

Submission Number 77

Submitted By

Agent

Mr Sean O'Loingsigh,
Comhairle Ceantar na
nOilean Teo,
Conamara,
Co na Gaillimhe.

No Agent,

Issue: Economic Infrastructure

Summary

To give special recognition to Chiontar na nOilean as an area suitable for Cultural Tourism Marine Development and related services.

Response

No amendment in the plan to which this relates. The Policies on Tourism, Industrial Development, Marine and the Gaeltacht are already included in the Draft Plan.

The study on Water Based Tourism makes reference to the suitability of the Islands area for major projects.

Recommendation

Recommendation not required.

It was agreed by the Council to exclude this issue from consideration, as it does not relate to a published amendment. However, this issue could be addressed in an Islands Plan.

Submission Number 78

Submitted By

Agent

Mr Joseph M Maloney,
Park,
Rosscahill,
Co. Galway.

No Agent,

Issue: Landscape Assessment \ Land Use Zoning

Summary

Concern expressed that the family in this case may not be allowed to build their homes on family land and may not be allowed to sell sites in future. Requests that the sensitivity rating of the area be lowered.

Response

Park townland has a special sensitivity rating in the Draft Plan Development Control Standards 10 and 11 restrict development in this area to the essential residential needs of local households and family farm businesses.

There has been no published amendment to the landscape sensitivity rating so the submission is not eligible for consideration.

It is one of five similar submissions number 24- 29 inclusive.

Recommendation

Exclude from consideration.

It was agreed by the Council that this issue would be adequately dealt with in the revised Rural Housing Policy.

| Submission Number 79 | Submitted By | Agent |
|----------------------|---|-----------|
| | Mr Jim Joyce, Joyce & Sons (Headford) Ltd, Galway Road, Headford, Co. Galway. | No Agent, |

Issue: Development Control

Summary

Applicant considers Development Control Standard 5 is extremely restrictive and is likely to prevent any significant alterations to his business leading to its closure.

Response

Development Control 5 does not rule out extensions to established commercial business. The duty of the Planning Authority is to uphold safe standards on National Roads. Policies cannot be designed to cater for every individual business interest on National Routes. The advantage they have in occupying such a high profile and accessible location must be balanced by their obligation not to compromise traffic safety.

Recommendation

This point does not warrant an alteration to the Plan.

Cllr. Hoade submitted a written proposal in relation to the wording of DC Standard 5 - Class 1 Control Roads which read as follows:

"In general commercial and industrial development shall be prohibited outside the 40 mph speed limits of National Routes. Consideration will be given to substantiate cases for extension and

intensification of existing establishments. All national roads are included under the Class 1 Control Roads Designation."

Mr. Ridge said he had difficulty with the definition of intensification. He said if you expand into other businesses this is intensification. If you were doing more of the same it is not intensification but if you start selling something else this would be intensification. He said the Council had experienced difficulty-defining intensification in relation to quarries.

Cllr. Hoade said she was talking about existing established businesses with substantiated cases, which she felt should be allowed to expand.

Cllr. Hoade Proposed that her wording be included in DC Standard 5 to replace the existing Class 1 Control Roads wording, this was Seconded by Cllr. Connolly and agreed by the Council.

Submission Number 80**Submitted By****Agent**

Mr Donncha O'hEallaithe,
GMIT,
Dublin Road,
Galway.

No Agent,

Issue: Gaeltacht**Summary**

Research has shown different levels of language use, in different parts of the Gaeltacht. Make various points

Recommends different levels of treatment to protect the language.

Strict regulation required where there is an imminent language shift.

Fluent Irish speakers who intend to revise children through Irish or bi-lingual should be encouraged to locate in areas where Irish is still in daily use and where services are available through Irish.

People who are not fluent Irish speakers should be discouraged from living in Fíor-Gaeltacht areas.

Emigrants should be considered sympathetically.

LIS should not be required in non-Irish speaking areas of the Gaeltacht.

LIS should not be needed for single houses but certification from the Department of the Gaeltacht that the applicant would qualify for a housing grant.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Special Meeting 28/03/2003

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issue would be adequately dealt with in the Gaeltacht Policy.

| Submission Number 81 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Ms. Valerie Loughnane-Moran, West Regional Authority, Prospect Hill, Galway. | No Agent, |

Issue: Regional Planning Guidelines

Summary

Regional Planning Guidelines should be referred to in the Draft Development Plan.

Response

The Regional Planning Guidelines presently being drawn up are not yet available. However, they can and must be taken into consideration when the Managers Progress Report due in 2005 is being undertaken.

Recommendation

Recommendation not required.

It was Proposed by Cllr. Gavin and Seconded by Cllr. O'Malley and agreed by the Council that no alteration to the Plan was required and that the Regional Planning Guidelines would be taken into consideration in the Managers Progress Report due in 2005.

| Submission Number 82 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr Thomas MacGiolla Easbaig, Glinsk, Co. na Gaillimhe, | No Agent, |

Issue: Gaeltacht

Summary

Omit Bearnna from Gaeltacht and the settlements for the Gaeltacht to start in Na Forbacha

Remove compulsory Irish Language requirement

Remove policies on Language Impact Assessment.

Remove objective 77 which requires contractors working in the Gaeltacht to have regard to the culture in which they work

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was proposed by Cllr. O'Malley and Seconded by Comh. O'Foighil and agreed by the Council that this issue is adequately dealt with in the Gaeltacht Policy.

Submission Number 83

Submitted By

Agent

Mr John Mulligan,
Internal Planning
Consultant, Vodafone
Ireland Limited,
Mountain View,
Dublin 18.

No Agent,

Issue: Economic Infrastructure

Summary

Telecommunications

DC Standard 25 is too restrictive in relation to mobile communications networks and will lead to a reduction in the quality of the network and to economic and social disadvantage.

These issues are also raised in submission 83 from the same party.

Response

The Proposed amendment is contrary to proper planning and sustainable development as it disregards scientific evidence and international standards. It is included twice as Policy 66 and DC Standard 28(8). Any concerns regarding public safety are adequately addressed in Policy 65.

Recommendation

Remove Policy 66 and Development Control Standard 28 subsection 8.

It was Proposed by Cllr. Gavin and Seconded by Cllr. T. Mannion and agreed by the Council that this issue had been adequately dealt with under submission number 2.

| Submission Number 84 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Ms. Mary Bryan, Irish Georgian Society, 74 Merrion Square, Dublin 2. | No Agent, |

Issue: Record of Protected Structures

Summary

Challenges the exclusion of bridges and churches and other buildings without apparent proper appraisal.

Response

The submission and its content are accepted. The removal of these structures was not based on a properly carried out assessment and is in contravention of the Planning and Development Act requirements, National Policy and the Granada Convention.

Recommendation

Re-include the buildings in the Record of Protected Structures as previously proposed. This can be achieved by removing the relevant amendments.

It was agreed by the Council that this issue had been adequately dealt with under submission number 71.

| Submission Number 85 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Dr. Bill Grealish, 114 Ocean Wave, Salthill, Galway. | No Agent, |

Issue: Settlement Strategy

Summary

That Woodlawn be included as a settlement center because of its location on the Galway/Dublin rail line.

Response

Does not refer to a specific amendment. This was also raised at pre-draft stage.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. S. Walsh and Seconded by Cllr. T. McHugh and agreed by the Council to exclude this item from consideration as it did not relate to a published amendment.

| Submission Number 86 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Mr Cathy Ni Ghoill, Bainisteoir Comharchumann Forbartha Arann Teo, Cill Ronain, Inis Mor, Arann, Cuan na Gaillimhe. | No Agent, |

Issue: Gaeltacht - The Islands.

Summary

Request for a specific section to be included in the plan for the Aran Islands.

Landscape sensitivity rating for the Islands be reduced from 5 to 4.

Irish Language rules should not apply to the Islands.

Islanders who live elsewhere and propose to build on the Islands should not be required to sell their family home.

Define Local/Islander.

The 0.5acre site size should not be required on the Islands when building a small house

Response

This does not relate to any amendment but will be addressed in the context of a Local Area Plan for the Gaeltacht. A more comprehensive policy statement is required in the Plan for the Islands.

Recommendation

Special consideration should be given to Inis Bofin and the other Islands in order to accommodate local housing needs and other essential infrastructure requirements.

It was Proposed by Cllr. O'Malley and Seconded by Cllr. Connolly and agreed by the Council that this issue can be addressed under the Gaeltacht Policy and in an Islands Plan.

| Submission Number 87 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Mr Stan & Moya Mac Eoin, Kinvara West, Kinavara, | No Agent, |

Issue: Landscape Assessment\Land Use Zoning

Summary

These people seek housing for family members in Kinvara West.

Response

This Rural Housing issue is dealt with in 4.8 and 4.9 and DC Standards 10,11 of the Draft Plan.

Recommendation

Exclude from consideration.

It was Proposed by Cllr. Loughnane and Seconded by Cllr. Cunningham and agreed by the Council that no alteration to the Plan was required.

Submission Number 88

Submitted By

Agent

Mr Tadhg O'Fatharta,
Leitir Gungaid,
Furbo,
Co. Galway.

No Agent,

Issue: Gaeltacht

Summary

Opposition to the division of the Gaeltacht into Area A and Area B.

Response

A2 maps have been produced and digital copies of the maps are available on the Intranet site.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was Proposed by Cllr. Loughnane and Seconded by Cllr. O'Malley and agreed by the Council that this issue would be adequately dealt with in the Gaeltacht Policy.

Issue: Rural Housing Policy

Summary

1) Request that local people be facilitated with planning permission in all of Furbo.

2) Enurement not to be exceeds 10 years.

Response

1) This rural housing issue is dealt with in section 4.8 and 4.9 see also development control standards 10 and 11 of Draft Plan.

2) This is one of 6 similar submissions numbers 14-19 inclusive.

Enurement Clauses are an important development control tool used to enforce policies. Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was Proposed by Cllr. Loughnane and Seconded by Cllr. O'Malley and agreed by the Council that this issue would be adequately dealt with in the revised Rural Housing Policy.

Submission Number 89

Submitted By

Agent

Mr Michael Collins,
Terryland,
Galway,

No Agent,

Issue: Economic Infrastructure

Summary

Development Control standard 5 could rule out the provision of park and ride facilities on National Route approaches to Galway City. The submission seeks the addition of a clause, which would alter a favourable consideration of park and ride facilities on approach routes to the City.

Response

Park and ride facilities will be an important element in the provision of an integrated traffic management plan for County and City. It seems appropriate that single strategic locations should apply on each approach route to the city. These will need consideration and selection based on further study of traffic flow and the provision of National Route Corridors.

Recommendation

Include statement in Development Control Standard 5 to allow consideration for the provision of public facilities, which may arise from the recommendations of the integrated transportation co-ordinating group.

It was Proposed by Cllr. Connolly, Seconded by Cllr. Regan and agreed by the Council to include a statement in Development Control Standard 5 to allow consideration for the provision of public facilities, which may arise from the recommendations of the integrated transportation co-ordinating group.

Submission Number 90

Submitted By

Agent

Ms Maire Aine Ni Fhlatharta,
An Foram do Phobal Iorras
Aithneach,
Carna,
Conamara, Co. Galway.

Issue: Gaeltacht

Summary

- 1) Exclude last sentence on page 88
- 2) Exclude last 2 paragraphs on page 89
- 3) Omit portions of section 10.5
- 4) Amend policies 232, 233 and 234.
- 5) Request provision of Council offices in Carna.
- 6) Amend section 10.11, 10.12 and 10.13
- 7) Remove policies 235 and 236 from the Draft Plan
- 8) Amend policy 237 to provide a similar enurement in the Gaeltacht area to that being proposed elsewhere.

Response

The submission address issues raised in whole or part in many other submissions. It highlights the need to avoid a restrictive or compulsory approach. This is accepted and as stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

The Mayor referred to the minutes of the SPC meeting dated 19/03/03 in relation to consideration of the Gaeltacht.

Cllr. Gavin asked if it was intended to deal with the Gaeltacht as defined in 1956 and said he felt the Local Authority were obliged to do so. He said the designated area around Carna etc where Irish is still spoken is different from areas such as Moycullen and Claregalway where Irish is not generally spoken on a daily basis. He said if a distinction is made it will be difficult to establish a policy which officials could easily implement.

Comh. O'Foighil clarified that his reference is to the entire Gaeltacht as officially designated and that he did not make any

distinctions in relation to the level of Irish currently being spoken within the towns and villages.

The Mayor advised that the recommendation is that the section on the Gaeltacht be re-drafted.

Comh. O'Foighil said much of what he was concerned with had already been dealt with on other submissions with the exception of items such as the Language Impact studies. He said the most important issue is to deal with local people and to ensure that their needs are being addressed. He said that Mr. Ridge had advised that the proposals in relation to the Gaeltacht had attracted the most submissions, the majority of which related to the language requirement. He said he questioned the correctness of this statement and said these submissions also covered items such as enurements, housing policy etc. He also stated that submissions made by organisations such as Comhdhail Oilean na hEireann etc represent about 24,000 people, which is far greater than the 14 to 15 people who made individual submissions.

He said he held 8 public meetings, which were each attended by about 50 people i.e. approximately 400 in total, 96% of whom were in agreement with the language restriction. In relation to the Gaeltacht policy he said most of the issues had been dealt with and the remaining outstanding issues were the Language Impact studies and enurements.

Comh. Ni Fhatharta confirmed that there had been a lot of publicity in relation to the Gaeltacht and said that in relation to the housing policy she proposed that special consideration be given to Irish speaking families who wish to settle in Gaeltacht areas as some of these families have a huge contribution to make to the area. She proposed that this category be added to the Rural Housing Policy in Gaeltacht areas.

She also proposed that the Council adhere to the 10-year enurement for Gaeltacht areas and also for other areas, as it would be unfair to discriminate against individuals because of their language.

Cllr. Gavin said this an important part of the Plan as it will have a huge impact on the way the Planning Authority deals with people who live in Gaeltacht areas where Irish is commonly spoken and in Gaeltacht areas where it is less commonly spoken.

Cllr. Gavin seconded Comh. NiFhatharta's proposal that special consideration should be given to people who speak Irish and wish to settle in Gaeltacht areas.

He also seconded he proposal in relation to the implementation of a 10-year enurement in relation to Gaeltacht areas and said he saw no reason to justify different time periods on enurements in different parts of the county.

He said he believed that an applicant could not be refused on language grounds alone if they qualified for housing in all other respects. He said it is important to take account of the needs of returning emigrants who wish to return to their local areas.

Cllr. Gavin concluded by complementing Comh. O'Foighil on bringing the Gaeltacht issue into the public arena.

Cllr. Walsh said he was concerned that when enurements expire after 10 years, properties could be sold to those who did not speak Irish. This could have a detrimental effect on the Gaeltacht. He said he was also concerned about assessing the Language Impact of businesses in the locality as they were bringing employment to the area and should be encouraged and accommodated. He also indicated that he did not support a requirement for Language Impact study in relation to houses.

Comh. Ni Fhatharta Proposed that a Language Impact Statement is required only where the application is for two or more houses, or where the application is more than one house, from the same applicant.

Cllr. Walsh asked if the person from the area who does not speak Irish or whos wife does not speak Irish would be able to obtain permission within the Gaeltacht.

He proposed that a local person from Connemara regardless of whether or not they speak Irish would be entitled to be considered for planning permission for their area.

Cllr. Loughnane said the Rural Housing Policy agreed by the Council indicates that it should be interpreted in conjunction with the other Policies in the Plan. This could result in a person qualifying under the Rural Housing Policy and being refused permission under the Gaeltacht Policy.

The Mayor advised that the Rural Housing Policy had already been agreed and could not be revisited.

Cllr. Hoade said she was concerned that this policy could affect applicants from Claregalway, Annaghdown and Carnmore, and because of the language requirement they would not be able to obtain permission in their own area.

Comh. Ni Fhatharta said that within the Gaeltacht most people speak Irish and at least one partner would be able to qualify under the language restriction.

Comh. Ni Fhatharta said it would be necessary for an applicant to qualify under the Rural Housing Policy first and only then would they need to be considered in relation to the Irish language.

Cllr. Gavin said the Council should adopt the housing policy for the whole County and then in respect of the Gaeltacht area the Irish language requirement needs to be considered

Comh. Ni Fhatharta proposed the following revised wording for paragraph 10.3 page 88. This was seconded by Cllr. Gavin and agreed by the Council.

The wording read as follows:

*The Planning Authority's role in achieving this aim is to protect the linguistic and cultural heritage of the Gaeltacht by granting planning permission **with special consideration** to Irish speaking applicants ~~and~~ or those who qualify under the Rural Housing Policy and by imposing conditions in granting such permissions, which will ensure the stabilization and the promotion of Irish as a community language.*

Mr. Ridge stated that it appears that this wording does not offer any protection to the Irish language and an applicant could get planning permission even if they spoke English only.

Cllr. Walsh said he did not wish to see applicants being refused permission because their children did not speak Irish.

Cllr. Mannion stated that Tirellan Heights in Galway City is in the Gaeltacht and very few people in that area speaks Irish. He said to impose a language restriction in such areas would be a nonsense. However, this policy recognizes that there are other areas where Irish is commonly spoken and where the language must be protected. It also recognizes that there are parts of the Gaeltacht where a development of 50 houses would not have a significant effect.

In relation to Policy 232 the Mayor advised that the SPC recommendation is that the policy in itself is acceptable, but that is on the assumption that the settlement strip from Bearna to Carna would be removed and that the policy will revert to the published Settlement Strategy and the Landscape Assessment.

Comh. O'Foighil said this proposal would be unworkable because of topography of the area and it is better to have settlement along by the road.

Cllr. Gavin said the Council must deal with the Gaeltacht and he felt it should be dealt with as a whole, and not subdivided. He said this part of the area of the Gaeltacht has a particular type of development, which probably was due to the landscape.

Comh. Ni Fhatharta complemented Comh. O'Foighil on the merits of his proposal in relation to this area and said she did not agree with the settlement strategy generally, but did not think the Council could deal with an area of this length. She said she did not agree that this was one long settlement.

Comh. O'Foighil said the settlement strategy had already been agreed and he proposed that this section be retained and not amended.

Comh. Ni Fhatharta replied that the form of the settlements had not been agreed.

Cllr. Walsh said the difficulty had been that local people were excluded from Bearna to Carna, but they were not now being excluded.

Comh. Ni Fhatharta proposed that the Council agree the recommendation of the SPC in relation to policy 232 and that provision be made to include businesses that are language centered and provide translation of communication services.

Cllr. Walsh seconded the proposal and it was agreed by the Council.

Cllr. Walsh proposed that International businesses with logos etc. be allowed use signage and symbols that are Internationally recognizable.

Cllr. Gavin advised that Legislation requires that all signage in Gaeltacht areas should be in Irish.

Comh. Ni Fhatharta said that if a U.K. Company sets up a business in the Gaeltacht they get an Irish name but retain their logos and symbols.

Cllr. Walsh withdrew his proposal.

The Mayor advised the Councillors that the recommendation of the S.P.C. in relation to Section 10.6 (Services Through Irish) is that it should be deleted in its entirety, as it is already covered in Objective 71 on page 107.

Cllr. Loughnane Proposed that the Council accept the recommendation of the S.P.C.

Comh. O'Foighil seconded the proposal and it was agreed by the Council.

The Mayor advised that the recommendation of the S.P.C. in relation to Section 10.7 Page 92 is as follows:

Retain the first sentence that "The Planning Authority recognizes... .." and add the following "This structure will be further examined in detail in a proposed Local Area Plan for the Gaeltacht and its role in preserving the Irish Language as a living means of communication."

He said they had advised that the settlement needs of locals could be met through Policy 7 and Policy 95 and also in the new Rural Housing Policy and in the existing Policy 87 and 88 in published Draft Plan.

Comh. Ni Fhatharta Proposed that the Council accept the S.P.C. recommendation in relation to section 10.7.

Cllr. O Malley Seconded the proposal and it was agreed by the Council.

The Mayor advised that the recommendation of the S.P.C. in relation to Sections 10.8 and 10.9 of the Draft Plan is that it should be deleted in its entirety, as there were discrepancies between these Sections and the County Settlement Strategy. They also recommended that the Settlement Centres be more scientifically defined as part of the Gaeltacht Plan.

It was proposed by Comh. O Foighil that the Council accept the recommendation of the S.P.C. in relation to Sections 10.8 and 10.9 of the Draft Plan.

Comh. Ni Fhatharta seconded the proposal and it was agreed by the Council.

The Mayor advised that in relation to Section 10.10 of Draft Plan the S.P.C. had recommended that the wording be changed as follows:

"The Planning Authority accepts that some Gaeltacht people who work outside the Gaeltacht, wish to reside in a community where Irish is the dominant language. The Planning Authority will have particular regard to applications in the following categories: Gaeltacht native speakers from Galway Gaeltacht when the language of the home is Irish and will be favorable disposed to planning applications from fluent Irish speakers from other parts of Ireland who are raising their children through Irish.

It was proposed by Comh. O Foighil that the Council accept the recommendation of the S.P.C. in relation to Sections 10.10 of the Draft Plan.

Comh. Ni Fhatharta seconded the proposal and it was agreed by the Council.

The Mayor advised that the recommendation of the S.P.C. in relation to Section 10.11 of the Draft Plan was that it should be omitted as it is covered by the Rural Housing Policy.

It was proposed by Comh. Ni Fhatharta that the Council accept the recommendation of the S.P.C. in relation to Sections 10.11 of the Draft Plan.

Cllr. O Malley seconded the proposal and it was agreed by the Council.

The Mayor advised that the recommendation of the S.P.C. in relation to Section 10.12 of the Draft Plan was that it should be replaced with a policy, which supports Udaras na Gaeltachta in fulfilling its role as a Development Agency.

It was proposed by Comh. O Foighil that the Council accept the recommendation of the S.P.C. in relation to Sections 10.12 of the Draft Plan.

Cllr. O Malley seconded the proposal and it was agreed by the Council.

The Mayor advised that the proposal of the S.P.C. in relation to Section 10.13 of the Draft Plan was that it should be removed, as should Policies 235 and 236. It should be replaced with a new policy as follows:

"The impact for development on the Irish language and proposed support mechanisms, if any, will be assessed using appropriate means having regard to the type and location of development."

Comh. O Foighil said the Irish language has been weakened by the granting of permission for housing estates from Claregalway to Moycullen. He said the granting of housing estates in Gaeltacht areas has almost completely obliterated the community language, which we are obliged to protect under the Planning and Development Act 2000. He warned that what has happened in Claregalway and Moycullen will also happen in Spiddal if the Council is not careful in relation to the planning permissions it grants.

He said the Act obliges the Planning Authority to protect and promote the Irish language. He said it was mandatory that the council take steps to prevent its decline. He warned that if the Council adopts Spiddal as a Settlement Center it would in effect fail to keep it a Gaeltacht Village. He said if they allowed this without a meaningful language impact study it would destroy the Gaeltacht Village as had happened in Claregalway and Oughterard.

He said if development continues in Spiddal in the future as it has over the last past 5 years the Community Language in that area would be destroyed. He said he could not support this despite the fact that he appreciates the difficulties the planning authority experience.

He said he did not accept that there is difficulty in getting applicants to carry out a language impact study. He said this requirement had been in existence for the last 5 years and the situation in Spiddal has arisen despite this requirement. He said history has shown how the language can be destroyed by the granting of housing estates in the Gaeltacht areas.

He proposed that no housing estates be allowed in Gaeltacht areas such as Knock, Spiddal, Minna, Furbo etc. until language impact statements had been carried out.

Cllr. J.J. Mannion agreed that there was merit in Comh. O Foighil statements in relation to developments of two or more houses.

Comh. Ni Fhatharta agreed with Comh. O Foighil and said language impact statements would have to be done and reminded the Council that failing to comply with this requirement had implications for the Council in a recent court decision.

Cllr. Loughnane referred back to submission 80 which he said had also raised a lot of issues in relation to the Gaeltacht none of which had found disagreement with any of the Council members present. He said the Council should make a firm proposal not to allow an estate of housing without a language impact statement in the Gaeltacht area.

The County Manager referred the Council to Article 28 (n) of the Planning and Development Regulations 2001 which states that the Planning Authority should send notice to the Minister for Arts, Heritage, Gaeltacht and the Islands and to Udaras na Gaeltachta where the development is in a Gaeltacht area and it appears to the

authority that it might materially affect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language.

Cllr. Gavin said that very little support had been given by Government in relation to areas where Irish is in decline. He said that Gaeltacht provisions had been in the previous plan and he was unsure as to how they should be applied in areas where the Irish language is not generally spoken. He said areas like Moycullen and Claregalway are of great benefit to the Gaeltacht for the provision of employment and he did not see merit in seeking Language Impact Statements for such areas.

Comh. O Foighil said he was proposing to have a study done in relation to Gaeltacht areas to ascertain the level of spoken Irish within the Communities. He was seeking to postpone the granting of housing estates in any of the Gaeltacht Settlement Areas until the study is completed.

Comh. Ni Fhatharta asked if the Council could place a prohibition on the granting of housing estates in the Gaeltacht.

The Manager replied that they couldn't as anybody was entitled to make a planning application, which must be considered on its merits.

Comh. Ni Fhatharta seconded Comh. O'Foighil's proposal for a study of Language Impact within Gaeltacht areas.

Comh. O Foighil then proposed that an action area plan for the Gaeltacht be commenced immediately after the County Development Plan is adopted.

Comh. Ni Fhatharta Seconded the proposal of Comh. O Foighil and further Proposed that Language Impact Study be required for two or more houses or where an application is made by the same applicant for more than one house in the area, as per the proposed new wording handed in earlier to replace Policy 235.

Cllr. Walsh objected to the last sentence of the proposed new Policy 235. He said people who move to Moycullen may not speak Irish but when their children start school, they start to speak Irish.

Comh. O' Foighil said the Plan could be varied if as a result of the Language Impact Statement for the Gaeltacht it was found to be necessary.

The Manager confirmed that the Policy could be altered by a variation to the Plan.

Comh. Ni Fhatharta proposed that the following wording should replace Policy 235 in the Draft Plan in relation to the Language Impact Statement.

"Language Impact Statements will be required where an application is made for two or more houses, or where the same applicant applies for more than one house in an area. The purpose of the Language Impact Statement, will be to assess the likely impact of the proposed development on the usage of Irish within that Gaeltacht area. Permissions will only be granted where the Local Authority are satisfied that the effect of the development will be beneficial to the usage of the language in the area, if permitted".

Comh. O' Foighil then proposed that it be an Objective of the County Development Plan that an Action Area Plan for the Gaeltacht be prepared by 31st March 2004.

It was agreed by the Council that this is already covered in Objective 72.

Mr. Ridge advised that Policy 237 related to a language Enurement Clause in the Gaeltacht areas. It had been suggested by the S.P.C. that two Enurement Clauses could be placed on permissions for dwellings in Gaeltacht areas. One could be in perpetuity and

would ensure that the property could only be sold to Irish speakers.

Comh. O' Foighil proposed that this Enurement not be imposed at present and that the concept of a language Enurement Clause be considered in the proposed Local Area Plan for the Gaeltacht.

Comh. Ni Fhatharta seconded Cllr. O'Foighil proposal and it was agreed by the Council.

Mr. Ridge advised that the S.P.C. recommendation in relation to Policies 238, 239 and 240 is that they should be omitted as they conflict with the Settlement Strategy and Landscape Assessment Designation for the County and with the general principles of Sustainable Development. These policies were included to give effect to the Settlement Strategy for the Gaeltacht. It was recommended by the S.P.C. that as the Settlement Strategy had been removed it would be appropriate to remove these policies also.

It was proposed by Comh. Ni Fhatharta and seconded by Cllr. O Malley and agreed by the Council to remove Policies 238, 239 and 240 from the Development Plan.

It was proposed by Comh. Ni Fhatharta and seconded by Cllr. O Malley and agreed by the Council to remove Objectives 74 and 75 from the Development Plan as these issues are already addressed in the Gaeltacht Policy.

This concluded the Council's discussion on Gaeltacht policy.

| Submission Number 91 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Michael Silke, The Irish Farmers Association, Regional Office, Athenry. | No Agent, |

Issue: Miscellaneous

Summary

Amend section 1.4.2.1 relating to reuse of buildings.

Response

Section 1.4.2 is about realising the potential of rural areas and does not relate to C.P.O.

Recommendation

Recommendation not required.

It was proposed by Cllr. Cunningham, seconded by Cllr. Connolly and agreed by the Council that no alteration to the Plan was required.

Issue: Economic Infrastructure

Summary

a) Amend policy 58 so that landfills are located not less than 3 miles from the nearest occupied dwelling.

b) Objects to section 3.13 relating to waste management.

Response

a) No scientific basis for the policy amendment in the plan. If it is retained it will significantly reduce the options for landfill site location with consequential impact on the economic development of the county.

It is contrary to the principles of proper planning and sustainable development and contravenes the Connacht Waste Management Plan. The EPA buffer zone is based on scientific consideration by experts.

b) Part B not relevant to any amendment in the Plan

Recommendation

Restrictions on the provision of landfill sites may impact on the ability of the county to attract economic investment and will be in contravention of the principles of proper planning and sustainable development and the Connacht Waste Management Plan. The published amendment should be removed from the Plan.

It was agreed by the Council that this issue had been dealt with in Submission 8.

Issue: Economic Infrastructure

Summary

Amend policy 66 so that no telephone mast is erected within 1000 meters of an occupied dwelling house.

Response

The Proposed amendment is contrary to proper planning and sustainable development as it disregards scientific evidence and international standards. It is included twice as Policy 66 and DC Standard 28(8). Any concerns regarding public safety are adequately addressed in Policy 65.

Recommendation

Remove Policy 66 and Development Control Standard 28 subsection 8.

It was agreed by the Council that this issue had been dealt with in Submission 2.

Issue: Housing

Summary

Amend section 4.2 relating to Housing Strategy.

Response

The point relating to the Housing Strategy does not relate to any specific amendment in the Plan.

Recommendation

This point does not warrant an alteration to the Plan.

Agreed by the Council that no alteration is required as this issue does not relate to a published amendment.

Issue: Rural Housing Policy

Summary

Farmers and Landowners who wish to sell a site to retain right to do so without restriction.

Response

Policies 4.8 and 4.9 and Development Control standard 10 and 11 relate to sale of sites.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issue had already been dealt with under Submission 34.

Issue: Rural Development

Summary

Amend section 4.11, current text endangers viability of farm enterprise.

Response

The Principles of proper planning and sustainable development must apply in determining any proposals for commercial development.

Recommendation

Recommendation not required.

It was agreed by the Council that no amendment to the Plan was required.

Issue: Natural and Built Heritage

Summary

Amend section relating to natural and built heritage including section 57, policy 117, policy 131, section 6.20, 6.26, 6.37

Response

Some issues raised are not relevant to any amendments in the Plan.

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Policy 131 is inserted to encourage the restoration of ruins. Tax incentives are a matter for Central Government.

We are obliged legally to refer development proposals adjoining listed site to Duchás.

The issue for compensation relating to designated sites is a matter for Duchás and the I.F.A.

Access to waterways must be a matter for agreement with individual farmers.

Recommendation

Recommendation not required.

Mr. Ridge circulated a redrafted section on Heritage, which he advised should replace the existing Heritage Section in the Plan.

Having considered the redrafted Heritage Section the Council agreed that it be included in the County Development Plan in place of the section published in the Draft Plan.

Issue: Tourism

Summary

Amend policy 216 and policy 224.

Response

Policy 216 takes into account the appropriateness of the number of holiday homes and relates it to the function and size of the settlement center. A 10% Cap may not be appropriate in some cases.

Good farming practice should not diminish the amenity or water quality of lakes or beaches.

Recommendation

Recommendation not required

The Mayor advised that this Submission sought a cap of 10% on holiday homes in Settlement Centers. He stated that if such a cap was not included it would be a matter for the Planners to decide.

Cllr. Loughnane proposed having a cap of 10% on holiday homes, Cllr. Cunningham seconded his proposal.

Cllr. Connolly stated that in some areas 15% might be appropriate, while in some other areas 2% could be sufficient. He said he was not in favour of placing a restriction on the number of holiday homes.

Cllr. J.J. Mannion said it is important to retain flexibility.

Cllr. T. Mannion said the County is so varied that it is important to retain flexibility.

Cllr. Loughnane advised that in an area like Bullaun the construction of ten holiday homes would use up the entire quota of Rural Housing for that area.

Mr. Ridge advised that Policy 216 and Policy 224 had been put in by the Councillors themselves. He said it gives the Council the discretion to deal with such applications when they are submitted. He then asked if they wished to put a cap on this discretion.

Cllr. Connolly proposed to retain Policy 216 in the Plan.

Cllr. Gavin seconded the proposal and a vote was taken. The vote was as follows:

AR SON: Cllrs. M. Connolly, J. Conneely, S. Gavin, M. Hoade, J.J. Mannion, T. Mannion, J. McDonagh, Comh. Ni Fhatharta, Cllrs. P. O'Malley, P. O'Sullivan, S. Quinn, K. Quinn, T. Rabbitt, M. Regan (14)

IN AGHAIDH: Cllrs. M. Cunningham, M. Fahy, M. Loughnane, S. Walsh (4)

GAN VOTAIL: Cllr. Hynes (1)

The Mayor declared the motion carried.

Cllr. Connolly proposed to retain Policy 224 in the Development Plan.

Cllr. Conneely Seconded the Proposal and it was agreed by the Council.

Issue: Development Control

Summary

Amend Development Control standard 29 and Standard 35.

Response

Propose amendment of Development Control Standard 29 takes into account the character of adjacent property without making any redevelopment unworkable.

There is a legal obligation to refer such development proposals to Duchás.

Recommendation

Recommendation not required.

Cllr. Conneely Proposed that no alteration to the Plan be made, as there is a legal obligation to refer such development proposals to Duchas.

Cllr. Connolly Seconded this Proposal and it was agreed by the Council.

| Submission Number 92 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Cathal Lynch, Gaifchursa Gaeltacht Chonamara Teo, Eanach Mheain, Beal an Daingin. | No Agent, |

Issue: Tourism

Summary

Refer to Tourism policy 208. Requires residential accommodation to compliment the existing tourist facility i.e. Golf Course.

Response

Policy 208 relates to tourism related developments. A clear distinction between this and holiday homes should be noted and holiday homes should according to Development Control standard 27 be located within settlements.

Recommendation

Recommendation not required.

Cllr. Conneely said the idea of providing residential accommodation complementing existing tourist facilities is not a unique idea and perhaps due consideration should be given to the proposal.

Mr. Ridge read out the content of Policy 208 as follows:

"Tourism related developments outside settlement centers will be considered where there is proven sustainable need. The need to locate in a particular area must be balanced against the environmental impact of the development and benefits to the local community."

He advised the Council that there is nothing in the Plan to prevent this type of development provided it is in accordance with proper planning and sustainable development. He said that what is being asked for here is the subject of a planning application.

It was agreed by the Council that no alteration to the Plan was required.

| Submission Number 93 | Submitted By | Agent |
|-----------------------------|---|--------------|
| | Mr Peadar O'Faodhagain, Coiste Pobal Bhearna, Freeport, Barna. | No Agent, |

Issue: Miscellaneous

Summary

Requests re-instatement of paragraph 2, Line 4, Page 37,
Paragraph 4, Line 5, Page 37, Paragraph 5, Page 37.

Response

Deletions - Book 1

Paragraph 2 Line 4

The re-insertion of this would lead to unsustainable development outside settlement centers contrary to good planning practice.

Paragraph 4 Line 5

Same as above to include Policy 7 allows favourable consideration be given in certain cases.

Paragraph 5

The insertion of this would lead to unsustainable development outside settlement centers contrary to proper planning and sustainable development.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issue is adequately dealt with in the revised Rural Housing Policy.

Issue: Economic Infrastructure

Summary

Requests re-instatement of Water Services Sewerage Capital Programme Page 51-54.

Response

It is considered that the Water Services Assessments of Needs document referred to in Section 3.8

is a more accurate indication of Sanitary Infrastructural priorities. It is reviewed on a regular basis.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that no alteration to the Plan was required.

Issue: Rural Housing Policy

Summary

Requests Amendment to section 1.4.2 - realising the potential of Rural Areas. 1.4.3 - achieving good quality development to include reference to rural housing need.

Amend 1.4.2.2 Development in designated areas.

Response

Insertions - Book 2

Rural Housing

Sections 4.8 & 4.9 along with DC Standards 10 & 11 adequately deal with point raised in 1.4.2

Section 1.4.2.2. Is inserted to indicate that while it is necessary to protect the designated areas it does not preclude development taking place there.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that this issue is adequately dealt with in the revised Rural Housing Policy.

Issue: Spatial Planning & Landuse

Summary

Delete Policy 2

Response

Policy 2 is necessary to define a clear boundary to settlements but does not preclude development outside these boundaries, which is in accordance with Section 4.8 & 4.9.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that no alteration to the Plan is required as this issue is adequately dealt with in the Settlement Strategy.

Issue: Spatial Planning & Landuse

Summary

Amend Policy 18 to include that local families fulfilling necessary planning requirements

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essential housing need requirements are not prevented from building in an area because of a deviation above 30% or 50% of the allocated population.

Response

Policy 18 is not intended to exclude or restrict local families who wish to build within the settlements.

Recommendation

Define the terms used in the Rural Housing Policy

It was agreed by the Council that no alteration to the Plan was required.

Issue: Regional Planning Guidelines

Summary

Delete Objective 5

Response

Local Representatives have the ultimate say in adopting any local area plan.

The principle of Subsidiarity requires involvement and consultation with the public who are being affected by such plans.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that no alteration to the Plan is required.

Issue: Economic Infrastructure

Summary

Amend Policy 26 to include reference to residential access on restricted roads.

Response

This issue is addressed in DC Standard 1.

Recommendation

This point does not warrant an alteration to the Plan. This does not mean that the policies in the Plan are in accordance with the principles of proper planning and sustainable development

It was agreed by the Council that no alteration to the Plan is required.

Issue: Economic Infrastructure

Summary

Amend Policy 58 to replace word landfill with words municipal landfill, review distance to 250m and that policy should not interfere with right of those to meet essential housing need category to build on family lands.

Response

Family members will not be prevented from building closer than 250m to a landfill.

Recommendation

Restrictions on the provision of landfill sites may impact on the ability of the county to attract economic investment and will be in contravention of the principles of proper planning and

sustainable development and the Connacht Waste Management Plan. The published amendment should be removed from the Plan.

It was agreed by the Council that this issue had already been dealt with in Submission 8.

Issue: Economic Infrastructure

Summary

Amend Policy 66 to permit those who meet essential housing need category to build on family lands

Response

Family members will not be prevented from building closer than 800m of any telecommunication mast.

Recommendation

Remove Policy 66 and Development Control Standard 28 subsection 8.

It was agreed by the Council that this issue had already been dealt with in Submission 2.

Issue: Rural Housing Policy

Summary

(a) Amend Policy 85 to permit those who meet essential housing need category to build on their family lands.

(b) Remove word employed from clause 1 of Policy 88.

(c) Remove words "and avoiding linear or ribbon development" from Policy 95

Response

This does not relate to a published amendment in the plan, at Policy 85.

Clear definitions are required in Policy's 87 & 88.

Continuance of Ribbon Development in rural areas is unsustainable and leads to urban sprawl erosion of landscape and damage to eco-systems. Policy 95 helps to consolidate existing clusters without leading to further proliferation of housing.

Recommendation

Define the terms used in rural housing policy and reduce the categories. Aquifer map is already included- no need to amend Plan.

It was agreed by the Council that this issue had already been dealt with in the revised Rural Housing Policy.

Issue: Landscape Conservation

Summary

(a) Delete Policy 109

(b) Remove words "and individuals" from Policy 132

Response

Policy 109 has been inserted because the area has a high civic amenity value. The conversion of this value into a formal civic park will require detailed local negotiations, which will take the concerns raised into account.

Special Meeting 28/03/2003

Local Representatives have the ultimate say in adopting any local area plan. The principle of Subsidiarity requires involvement and consultation with the public who are being affected by such plans.

It is required under the Planning legislation to inform owners/occupiers of any building becoming a protected structure.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that no alteration to Policy 109 in the Plan is required and that the issue raised in relation to Policy 132 is dealt with in the new section on Heritage.

Issue: Recreation and Amenity

Summary

Delete Policy 256.

Response

Policy 256 is inserted to protect residential communities from extreme levels of noise. Individual applications will be assessed on their merits and can be conditioned to protect residential amenity.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that no alteration to the Plan is required as individual applications can be assessed on their merits and can be conditioned to protect Residential amenity.

Issue: Development Control

Summary

Amend DC Standard 2 so that set back of buildings from roads as per existing county plan.

Amend DC Standard 5 to state R336 not considered as within plan boundaries.

Amend DC Standard 29 to include that plot ratio for Barna Village is that defined in Barna Plan.

Response

The alterations Proposed in the plan take account of increased traffic noise and possible road widening and maintenance of roadside margins.

Required to ensure that properties and roads are not flooded.

Site size required to permit the incorporation of facilities for sewage treatment. The increased site size for larger houses is not a published amendment.

Required for proper planning and sustainable development.

Not a published amendment.

The provision was inserted to protect the safety and capacity of this important route. DC

Standard 1 states that restrictions will apply outside the town plan boundary.

For DC Standard 29, developments within the Bearna Village plan area will be guided by the policies and development standards in the village plan.

Recommendation

This point does not warrant an alteration to the Plan.

It was agreed by the Council that the issues raised did not warrant an alteration to the Plan.

Issue: Gaeltacht

Summary

Supports some of the proposals contained in Gaeltacht section.

Does not agree with redefining of Gaeltacht boundaries for planning purposes, requests section revised to take into account of Barna Village Plan.

Response

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

The boundary and proposals as defined in the official draft Bearna plan are based on sustainable principles.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that the issues raised are adequately covered in the Gaeltacht Policy.

Issue: Gaeltacht

Summary

Amend policy 237 so that Enurement Clause is for 10 years.

Response

Under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

An open policy will fail to do this. The proposals for the Gaeltacht will protect language but will undermine the principles of sustainability, the environmental objectives and the Settlement Strategy of the Development Plan.

Recommendation

The use of Enurement Clauses permits the effective implementation of development control policies and builds flexibility into the system. A reduction or removal of these clauses reduces effectiveness and or reduces the range of options available to the Planning Department.

It was agreed by the Council that this issue is already dealt with in Submission 1 and in the Gaeltacht Policy.

| Submission Number 94 | Submitted By | Agent |
|-----------------------------|---------------------|--------------|
| | Mr Val Clarke, | No Agent, |

Ros Muc,
Connemara,
Co. Galway..

Issue: Settlement Strategy

Summary

Requests the inclusion of Glencaugh (Screebe) as a settlement area.

Response

Not eligible for consideration. However, Policies 7, 93 and 95 would indicate a favourable attitude to new development in the area. See also Submission 30.

Recommendation

Exclude from consideration.

It was agreed by the Council that no alteration to the Plan was required as the issue is adequately dealt with in Policies 7, 93 and 95.

Issue: Gaeltacht

Summary

Objects to some of the provisions for the protection of the Gaeltacht.

Response

As stated previously under the Planning and Development Act 2000 we are required to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issue is adequately dealt with in the Gaeltacht Policy.

| Submission Number 95 | Submitted By | Agent |
|----------------------|--|-----------|
| | Mr Pol O'Foighil, Comharchumann Inis Mean Teo, Inis Meain, Arainn. | No Agent, |

Issue: Gaeltacht

Summary

Non Irish speakers with special skills be allowing to qualify for housing in class 5, on the islands.

Response

This contradicts the section on the Gaeltacht. As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It is agreed by the Council that the issue raised is dealt with in the Gaeltacht Policy and can be addressed in a Plan for the Islands.

Submission Number 96

Submitted By

Agent

Mr Rory O'Donnellan,
O'Donnellan & Co.
Architects,
Elington House,
Elington Street Galway.

No Agent,

Issue: Heritage

Summary

Wish to have their residence Eagle Lodge Freeport Barna excluded from the Record of Protected Structures.

Response

The list of Protected Structures for the Western part of the County is currently being compiled, and has yet to be completed. This submission will be examined and the owners notified if listing is proposed.

Recommendation

Recommendation not required.

It was agreed by the Council that no alteration to the Record of Protected Structures is required as this issue relates to and will be considered with the Barna Development Plan, and not the County Development Plan.

Submission Number 97

Submitted By

Agent

Celtic Waste,

No Agent,

Burton Court, Burton Hall
Road,
Sandyford,
Dublin 18.

Issue: Economic Infrastructure

Summary

Objects to Policy 58

Response

No scientific basis for the policy amendment in the plan. If it is retained it will significantly reduce the options for landfill site location with consequential impact on the economic development of the country.

It is contrary to the principles of proper planning and sustainable development and contravenes the Connacht Waste Management Plan. The EPA buffer zone is based on scientific consideration by experts.

Recommendation

Restrictions on the provision of landfill sites may impact on the ability of the county to attract economic investment and will be in contravention of the principles of proper planning and sustainable development and the Connacht Waste Management Plan. The published amendment should be removed from the Plan.

It was agreed by the Council that this issue has been addressed in Submission 8.

Submission Number 98

Submitted By

Agent

Ms. Mary Naughton,
Naughton Property
Consultants Ltd,
Furbo Village,
Galway.

No Agent,

Issue: Gaeltacht

Summary

This submission supports the introduction of villages as per the plan. It sets out the need for some commercial development from Barna to Carna. Supports the need for housing for people who reside and work in the local area. It welcomes returning emigrants returning to their local area. Opposes compulsory Irish language assessment. Wishes to have Enurement Clause reduced or set the same as the rest of the County.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

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The rural housing policies are clearly set out in 4.8 and 4.9 along with Development standards 10 and 11.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issue has been addressed in the Gaeltacht Policy.

| Submission Number 99 | Submitted By | Agent |
|-----------------------------|--|--------------|
| | Ms. Maire Ni Neachtain, Baile an tSagairt, An Spideal, Co na Gaillimhe. | No Agent, |

Issue: Gaeltacht

Summary

It clearly indicates the importance of the Irish Culture incorporating not only language but customs agricultural practices, music and dance, as being central to the Community. It highlights the danger of the erosion of the Irish Culture.

She supports the proposal to require a competence in the spoken Irish as being necessary to settle in the area. She sees this as pioneering step in consolidating the language.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

It is accepted that the Plan contains anomalies and discrepancies in the proposals for the Gaeltacht these should be removed and consideration should be given to the items raised in the many in adjusting the published policies.

It was agreed by the Council that this issue has been addressed in the Gaeltacht Policy.

| Submission Number 100 | Submitted By | Agent |
|------------------------------|---|--------------|
| | Ms. Orla Ni Neachtain, Coismeig Mor, Na Forbacha, Co na Gaillimhe. | No Agent, |

Issue: Miscellaneous

Summary

Submissions 53, 54, 56, 57, 58, 59 and 60.

Response

These submissions cover the same areas and points as those raised in Submission 51.

Recommendation

Dealt with under Submission 51

It was agreed by the Council that this issue has been addressed in Submission 51.

| Submission Number 101 | Submitted By | Agent |
|-----------------------|--|-----------|
| | Ms. Mairead Mhic Fhionntaoich, Udaras na Gaeltachta, Na Forbacha, Gaillimh. | No Agent, |

Issue: Gaeltacht

Summary

- 1) Corrections to text requested.
- 2) Revision of signage.
- 3) Include An Fhairce agus Maigh Cuilinn in 10.9 list.
- 4) Modification of 10.10.
- 5) Support position on emigrants but concerned as to how workable can it be.
- 6) Need a strong economic base to sustain the community and we must be satisfied there are support mechanisms in place to promote the language. Accept there are some skills missing within the area and we must support these people coming into the Gaeltacht in learning Irish.
- 7) Proposing we refer to the guidelines in the report submitted by NASC.
- 8) Udaras express concerns on their role in monitoring the Area B to Area A as in Policy 236.
- 9) Wish to retain Enurement Clause having regard to its dissolution for genuine reasons.
- 10) Irish and English versions of the text have anomalies.
- 11) Udaras wish for an emphasis on development without damaging the visual amenity of the area.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

It is accepted that the Plan contains anomalies and discrepancies in the proposals for the Gaeltacht these should be removed and consideration should be given to the items raised in the many in adjusting the published policies.

It was agreed by the Council that the issues raised have been addressed in the Gaeltacht Policy.

Submission Number 102**Submitted By****Agent**

Mr Sean Mac Eoin,
Department of Community
Rural &
Gaeltacht Affairs,
Na Forbacha,
Co na Gaillimhe.

No Agent,

Issue: Gaeltacht**Summary**

Support the thrust of the plan, which in turn supports the report of Coimisiun na Gaeltachta in particular, facilitating developments which are language centered and which propose improvement to infrastructure.

Welcome provisions that are language friendly and the Local Area Plan for the Gaeltacht.

Widespread consultation is important.

Key points outlined by the Department include, the damage done in the absence of language policy by implementing planning policy in the Gaeltacht, wish the total Gaeltacht to be taken into consideration equally, the Department are undertaking a study of the Gaeltacht.

The completed County Development Plan and Local Area Plan should be reasonable and practical and the rules for each area should be supportive of the standard of language in that community.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

It is accepted that the Plan contains anomalies and discrepancies in the proposals for the Gaeltacht these should be removed and consideration should be given to the items raised in the many in adjusting the published policies.

It was agreed by the Council that the issues raised have been addressed in the Gaeltacht Policy.

Submission Number 103**Submitted By****Agent**

Mr Sean F O'Drisceoil,
Comhdhail Oileain na
hEireann,
Inis Oirr,
Arainn.

No Agent,

Issue: Settlement Strategy

Summary

Requests a redefinition of settlement strategy for consideration of smaller settlements.

Recommends a redefining of local roads.

Response

It is our intention to undertake a local area plan for the Gaeltacht region including the Islands.

This will take these parts into consideration as outlined in Objective 72.

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

It is accepted that the Plan contains anomalies and discrepancies in the proposals for the Gaeltacht these should be removed and consideration should be given to the items raised in the many in adjusting the published policies.

It was agreed by the Council that the issues raised have been addressed in the Gaeltacht Policy and in objective 72.

Submission Number 104

Submitted By

Agent

Maire Ni Chionna,
Senior Engineer,
Environment Section.

No Agent,

Issue: Development Control

Summary

Concerned that waste management facilities such as bring banks may be excluded from residential areas. Recommends revision of zoning matrix to take into account the waste management hierarchy.

Response

It is accepted that waste management facilities is too broad a term and it should be defined more precisely having regard to the waste management hierarchy and the likely facilities that will be provided.

Recommendation

Define waste management facilities more precisely and also revise Zoning Matrix to allow appropriate waste management facilities.

It was agreed by the Council to define waste management facilities more precisely and also revise Zoning Matrix to allow appropriate waste management facilities.

Submission Number 105

Submitted By

Agent

Mr Finian Matthews, No Agent,
Principal Spatial Policy
Section,
Department of the
Environment & Local
Government,
Custom House Dublin 1.

Issue: Settlement Strategy

Summary

Concern expressed that the G.T.P.S. boundary has been reduced to 25km and development outside the 25km zone should be monitored taking into account Tuam's role as a hub. Concern expressed about the protection of major aquifer east of Galway city and request mapping of same.

Response

Policy 90 goes some way towards achieving the principle of sustainability including the protection of the East Galway aquifer. The categories of housing need allowable are considered to be too broad.

Recommendation

Define the terms used in rural housing policy and reduce the categories. Aquifer map is already included- no need to amend Plan.

It was agreed by the Council that the issues raised have been addressed in the revised Rural Housing Policy and in Policy 90 of the Development Plan.

Issue: Gaeltacht

Summary

Requests further examination of the policies contained in the Gaeltacht section. The discrepancy between Gaeltacht policies and rural housing policy (Viz 25km zone) has been highlighted. No justification for change in landscape rating along Cois Fhairraige.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

It is accepted that the Plan contains anomalies and discrepancies in the proposals for the Gaeltacht these should be removed and consideration should be given to the items raised in the many in adjusting the published policies.

It was agreed by the Council that the issues raised were adequately dealt with in the Gaeltacht Policy and in the revised Rural Housing Policy.

Issue: Economic Infrastructure

Summary

Advise that housing needs on National Primary Routes should only be allowed where the existing farm access is being used and no new access should be created.

Response

This is an additional requirement, which would further improve traffic safety.

Recommendation

Amend Development Control Standard 1 to provide for a single access to cater for multiple family access requirements onto farms.

It was agreed by the Council to amend Development Control Standard 1 to provide for a single access to cater for multiple family access requirements onto farms.

Issue: Economic Infrastructure

Summary

Policy 65 is more stringent than the guidelines on Telecommunications Masts. The policy should be more balanced taking into account social progress, environmental quality and public health.

Response

Telecommunications Development Control Standard 25 may result in reduction in the quality of the network and in economic and social disadvantage.

These issues are also raised in submission 83 from the same party.

Recommendation

Remove Policy 66 and Development Control Standard 28 subsection 8.

It was agreed by the Council that this issue has been dealt with under Submission 2.

Issue: Economic Infrastructure

Summary

Policy 58 on siting of landfills should be more fully raised

Response

No scientific basis for the policy amendment in the plan. If it is retained it will significantly reduce the options for landfill site location with consequential impact on the economic development of the County.

It is contrary to the principles of proper planning and sustainable development and contravenes the Connacht Waste Management Plan. The EPA buffer zone is based on scientific consideration by experts.

Recommendation

Restrictions on the provision of landfill sites may impact on the ability of the county to attract economic investment and will be in contravention of the principles of proper planning and sustainable development and the Connacht Waste Management Plan. The published amendment should be removed from the Plan.

It was agreed by the Council that this issue had been dealt with under Submission 8.

Submission Number 106**Submitted By****Agent**

An Taisce,
The Tailors Hall,
Black Lane,
Dublin 8.

No Agent,

Issue: Heritage**Summary**

Book 1 - Deletions: Wish to re-insert various deletions.

Book 2- Insertions: Welcomes insertions at 1.1, 1.4 and 1.5.

Delete last paragraph of section 2.6.1. In section 2.10 delete policies 2 and 6 as it is felt they would undermine the realisation of the settlement strategy.

Delete last 3 words of the Proposed policy 7. In section 2.10 include Proposed policy 18 with Proposed policy 7. Request to reduce the deviation from the figures stated in the settlement strategy. (Table 2.2 to 2.6)

Response

Book 1- Deletions:

Many of the deletions have been re-written and re-introduced in various sections of the Plan e.g. Heritage section. It is considered they do not lose their impact as a result of the amendments.

Book 2 - Insertions:

An Taisce's welcome for 1.1, 1.4 and 1.5 is noted.

The last paragraph of section 2.6.1 set out using broad categories of permissible housing need. Interpretation of this may lead to unsustainable rural development.

Policy 6 sets out very broad categories of permissible housing need. Interpretation of this may lead to unsustainable rural development.

It will be a matter for development control to make a judgment on the sustainable rate of expansion of such development needs as indicated in policy 7.

Policy 18 was inserted to allow flexibility in the rate of growth of centers when considering that demand can vary considerably. The deviations are considered reasonable.

Recommendation

Book 1 deletions - This point does not warrant an alteration to plan. Book 2 insertions- Define the terms used in Rural Housing Policy.

It was agreed by the Council that no alternations are required, as the issues raised have been addressed in other Submissions and in the revised Rural Housing Policy.

Submission Number 107**Submitted By****Agent**

Mr Derrick Hambleton,
An Taisce,

No Agent,

Issue: Heritage

Summary

- One-off housing policy regarded as too liberal.

Book 1 - Deletions:

- Wish to revert to original wording for the main aims of the Plan.
- Wish to re-insert paragraphs 5 and 6 of 2.2 from original draft.
- Concerned at language policies relating to settlement in the Gaeltacht.
- Object to the removal of paragraph 1 and 2 page 19 of the original draft.
- Wish paragraph 2 page 35 of the original draft be re-inserted.
- Wish to re-insert paragraph 4 line 5 and bold wording and only where rural transport services are available.

Book 2- Insertions.

- The proposal at policy 21 to designate Glenlo Abbey a high technology campus is not acceptable and is in conflict with policy 26.

Book 1 - Deletions:

- Regard deleted 3.9 Tourism Paragraph 7 as too broad.
- Regarding delete paragraph on protected structures 4.2.1.1 on page 74 they wish to replace the word may with should.
- No clear reason given for the omission of certain protected structures from the R.P.S.

Response

- Section 4.8, which deals with rural housing, identifies several categories of rural housing need. Interpretation of this may lead to unsustainable rural housing need.

Book 1 - Deletions:

- This is re-addressed in section 1 page 9 of the amended draft.
- This is dealt with in section 6.26 and following sub sections within the heritage section.
- As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht. There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.
- This is regarded as a realistic statement of development trends and consequent effects.
- It is considered that the policies, which facilitate public private partnership, will meet the population growth demands of the various settlements indicated (see table 2.2 and 2.6). Policy 93 provides for the rural housing requirements of east Galway.
- This paragraph has been deleted.
- This paragraph has been deleted.
- This paragraph has been deleted.

Book 2 - Insertions

- This proposal is contrary to proper planning and sustainable development and is contrary to policy 26. It conflicts with the city Development Plan.

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- The submission and its content are accepted. The removal of these structures was not based on properly carried out assessment and is in contravention of the Planning and Development Act requirements, national policy and the Granada Convention.

Recommendation

Define the terms used in Rural Housing Policy. - Recommendation not required. - The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose the provisions in the Plan. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed. - Remove published amendment from the Plan. - Re-include the buildings in the Record of Protected Structures as previously proposed. This can be achieved by removing the relevant amendments.

It was agreed by the Council that no alterations were required to the Plan as the issues had been dealt with under the Gaeltacht Policy, revised Rural Housing Policy and it had been agreed to re-include properties removed from the Record of Protected Structures.

| Submission Number 108 | Submitted By | Agent |
|------------------------------|--|--------------|
| | Mr Joe O'Nuallain, Comhdhail Oileain na hEireann, Inis Oirr, Arainn. | No Agent, |

Issue: Gaeltacht - The Islands.

Summary

Sensitivity class 5 is too restrictive and constitutes a threat to the future of the islands.

Response

The point is addressed in Development Control standard 10. However there are anomalies that require to be addressed by a more comprehensive policy statement on island development.

Recommendation

Special consideration should be given to off shore islands in order to accommodate local housing needs and other essential infrastructural requirements.

It was agreed by the Council that this issue is addressed in Development Control Standard 10 and can be further addressed in a Plan for the islands.

| Submission Number 109 | Submitted By | Agent |
|------------------------------|-------------------------------------|--------------|
| | Councillor Pol Bainin O'Foighil, | No Agent, |

An Cnoc,
Indreabhan,
Co. na Gaillimhe.

Issue: Gaeltacht

Summary

Under the heading An Gaeltacht 10.3 the first 3 paragraphs have been inserted in Irish.

Delete the word especially in the third last line of 10.3.

10.5 is a revised Irish version of the text. However, there is no reference in the Irish version of the final sentence of the English text.

The Irish version of 10.6 has been amended.

In 10.9, Ceantar na Tulaigh request to delete 890 acres (1.9 sq. miles) and replace with 400 acres (0.7 sq miles).

Delete the first 4 lines on page 103 and substitute with new text.

Insert Irish text after line 4 of page 103.

Amend paragraphs 1 and 2 of 10.10.

Amend 10.11 on emigrants.

Wishes to include a statement in policy 235 and prepared by the National Language Institute or Udaras na Gaeltachta.

Wishes to delete are statutory bond in policy 236 and add after County Development Plan for period 2003-2009

Wishes to add to policy 237 enurement.

Add Irish text to policies 238, 239 & 240.

Delete part of text under Class 5 page 115 and substituted with new text.

Response

As stated previously under the Planning and Development Act 2000 there is a requirement to protect the language and culture of the Gaeltacht.

There are many different ways of achieving this but all must give favourable consideration to the Irish language and protect against adverse impact.

Recommendation

The proposals for the Gaeltacht have attracted many submissions; the majority of these oppose provisions in the Plan that are considered restrictive. Consideration should be given to re-drafting this section and as part of this redraft the anomalies and discrepancies that exist should be removed.

It was agreed by the Council that this issued had been addressed in the Gaeltacht Policy.

| Submission Number 110 | Submitted By | Agent |
|-----------------------|--------------|-------|
|-----------------------|--------------|-------|

| | | |
|--|--|-----------|
| | Mr John Graby, RIAI, 8 Merion Square, Dublin 2. | No Agent, |
|--|--|-----------|

Issue: Heritage

Summary

Challenges the exclusion of bridges and churches and other buildings without apparent proper appraisal.

Response

The submission and its content are accepted. The removal of these structures was not based on properly carried out assessment and is in contravention of the Planning and Development Act requirements, national policy and the Granada Convention.

Recommendation

Re-include the buildings in the Record of Protected Structures as previously proposed. This can be achieved by removing the relevant amendments.

It was agreed by the Council that this issue has already been addressed and that bridges and churches will be re-included in the Record of Protected Structures.

Submission Number 111

Submitted By

Agent

Ms Anne Mulvihill,
Cloonboo,
Corrandulla,
Co. Galway.

No Agent,

Issue: Landscape Assessment

Summary

The section of the Galway/Headford Road contains an SAC and panoramic views, which should be preserved from development.

Response

DC Standard 1 and DC Standard 5 deal with restrictions on National Roads

Recommendation

Recommendation not required.

It was agreed by the Council that no alteration to the Plan was required.

Submission Number 112

Submitted By

Agent

Mr Joe Walsh,
Mullaghgloss,
Renvyle,
Connemara.

No Agent,

Issue: Rural Housing Policy

Summary

Section 3.1.7.6 discriminates against first time planning permission applicants in Connemara.

Response

3.1.7.6 of the Draft Plan has been deleted and replaced with section 4.8 and 4.9

Recommendation

Recommendation not required.

It was agreed by the Council that no alteration to the Plan was required and that the issue was covered in the Gaeltacht Policy and in the revised Rural Housing Policy.

| Submission Number 113 | Submitted By | Agent |
|------------------------------|---|--------------|
| | Mr Tom Connell, Senior Executive Officer, Environment and Conservation | No Agent, |

Issue: Economic Infrastructure

Summary

That the location of Clifden Waste Water Treatment Works and Sludge Satellite Centre are compliant with the Draft Development Plan.

Response

The Location of these infrastructural projects is classified as special sensitivity rating. Development in this area is restricted in accordance with DC Standard 10.

Recommendation

Exclude from consideration.

It was agreed by the Council that no alteration to the Plan was required.

| Submission Number 114 | Submitted By | Agent |
|------------------------------|--|--------------|
| | Mr Patrick Conroy, Monivea Demesne Preservation Monivea, Co. Galway. | No Agent, |

Issue: Heritage

Summary

Request to have Monivea Woodland designated a Protected Structure.

Response

This is more relevant to Natural Heritage, which is treated extensively in Chapter 6.

Additionally Objective 66 states it is an objective to carry out a tree survey for the county and an

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accompanying tree preservation order list.
In this context this matter may be addressed.

Recommendation

Recommendation not required.

It was agreed by the Council that no alteration is required as woodlands could not be described as a structure and the issue is addressed in objective 66.

| Submission Number 115 | Submitted By | Agent |
|------------------------------|--|--------------|
| | Mr John Graby, RIAI, 8 Merion Square, Dublin 2. | No Agent, |

Issue: Record of Protected Structures

Summary

Challenges the exclusion of bridges and churches and other buildings without apparent proper appraisal.

Response

The submission and its content are accepted. The removal of these structures was not based on properly carried out assessment and is in contravention of the Planning and Development Act requirements, national policy and the Granada Convention.

Recommendation

Re-include the buildings in the Record of Protected Structures as previously proposed. This can be achieved by removing the relevant amendments.

It was agreed by the Council that this issue had already been addressed and it had been agreed to re-include properties removed from the Record of Protected Structures.

Issue: Heritage

Summary

Challenges the exclusion of bridges and churches and other buildings without apparent proper appraisal.

Response

The submission and its content are accepted. The removal of these structures was not based on properly carried out assessment and is in contravention of the Planning and Development Act requirements, national policy and the Granada Convention.

Recommendation

Re-include the buildings in the Record of Protected Structures as previously proposed. This can be achieved by removing the relevant amendments.

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It was agreed by the Council that this issue had already been addressed and it had been agreed to re-include properties removed from the Record of Protected Structures.

Submission Number 116

Submitted By

Agent

Ms Ann Kelly,
Freeport,
Barna,

No Agent,

Issue: Late Submission

Summary

No Data

Response

No data

Recommendation

Exclude from consideration.

It was agreed by the Council that this issue could not be considered, as it was a late Submission.

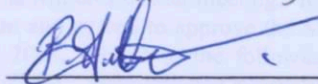
Mr. Ridge said that the amendments agreed would be incorporated into the Draft Plan and a final draft would be circulated to them. It was agreed to hold a further special meeting of the council on 12th April 2003 to confirm that the amendments had been incorporated into the final draft and to make the County Development Plan.

Mr. Ridge said that it would be necessary to adopt the Loughrea Town and Environs Plan before making the County Development Plan.

The Mayor then thanked the County Manager, Mr. Ridge, the Planning Staff and the members for their efforts in the making of the Plan.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved & Signed



18/7/03

Date