

Loughrea Local Area Plan 2012-2018

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

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

Meeting of Galway County Council on 24th July 2017

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



Comhairle Chontae na Gaillimhe
Galway County Council

July 2017

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1. Introduction

1.1 Legislative Provisions

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

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

1.2 Background to Loughrea LAP 2012-2018

The Loughrea Local Area Plan (LAP) is the main public statement of planning policies and objectives for the town of Loughrea. It is used in the assessment of all development proposals for the area. The Plan was adopted by Galway County Council on the 24th September 2012 and is valid for a period of 6 years, until 24th September 2018.

1.3 Purpose of Chief Executive's Report

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

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

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

2. Chief Executive's Opinion

2.1 Consistency with the Galway County Development Plan 2015-2021

The Loughrea LAP 2012 was originally adopted by Galway County Council on the 24th September 2012. At that time, the relevant County Development Plan was the Galway County Development Plan 2009-2015.

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

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

2.2 Consistency with the Objectives of the County Development Plan.

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

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

1 Core Strategy and Settlement Strategy.

Under the Core Strategy, Loughrea is designated at a key Town and has been assigned a population growth of 1,133 additional persons with a housing land requirement of 21.95 Ha. This remains a valid population target. There has been limited development in Loughrea in the period since the adoption of the Local Area Plan and there is no evidence that this is going to change substantially in the immediate period ahead. Practically all of the 22 Ha that are required for phase 1 residential development remain undeveloped and the terms of the Local Area Plan limits the extent of development in Loughrea to that amount to ensure compliance with the Core Strategy.

2. Flood Risk Management

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

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

The Loughrea LAP 2012 was subject to Appropriate Assessment. The Loughrea LAP 2012 incorporated appropriate policies and objectives to ensure the protection of European sites in accordance with the Habitats Directive and the proposed amendment strengthens these protections through the appropriate zoning of designated sites to ensure the protection of European sites in accordance with the Habitats Directive and in compliance with the associated objectives of the Galway County Development Plan 2015- 2021.

4 Strategic Environmental Assessment

The Loughrea LAP 2012 was subject to Strategic Environmental Assessment (SEA). The LAP incorporates appropriate land use zoning, policies and objectives to ensure that the implementation of the LAP will not result in significant effects on the environment in accordance with the SEA Directive and Regulations and in compliance with the associated objectives of the Galway County Development Plan 2015-2021.

2.3 Securing the Objectives of the Loughrea Local Area Plan 2012-2018

There has been limited development in Loughrea since the adoption of the LAP in 2012.

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

2.4 Deferral of Notice and Legal Provisions

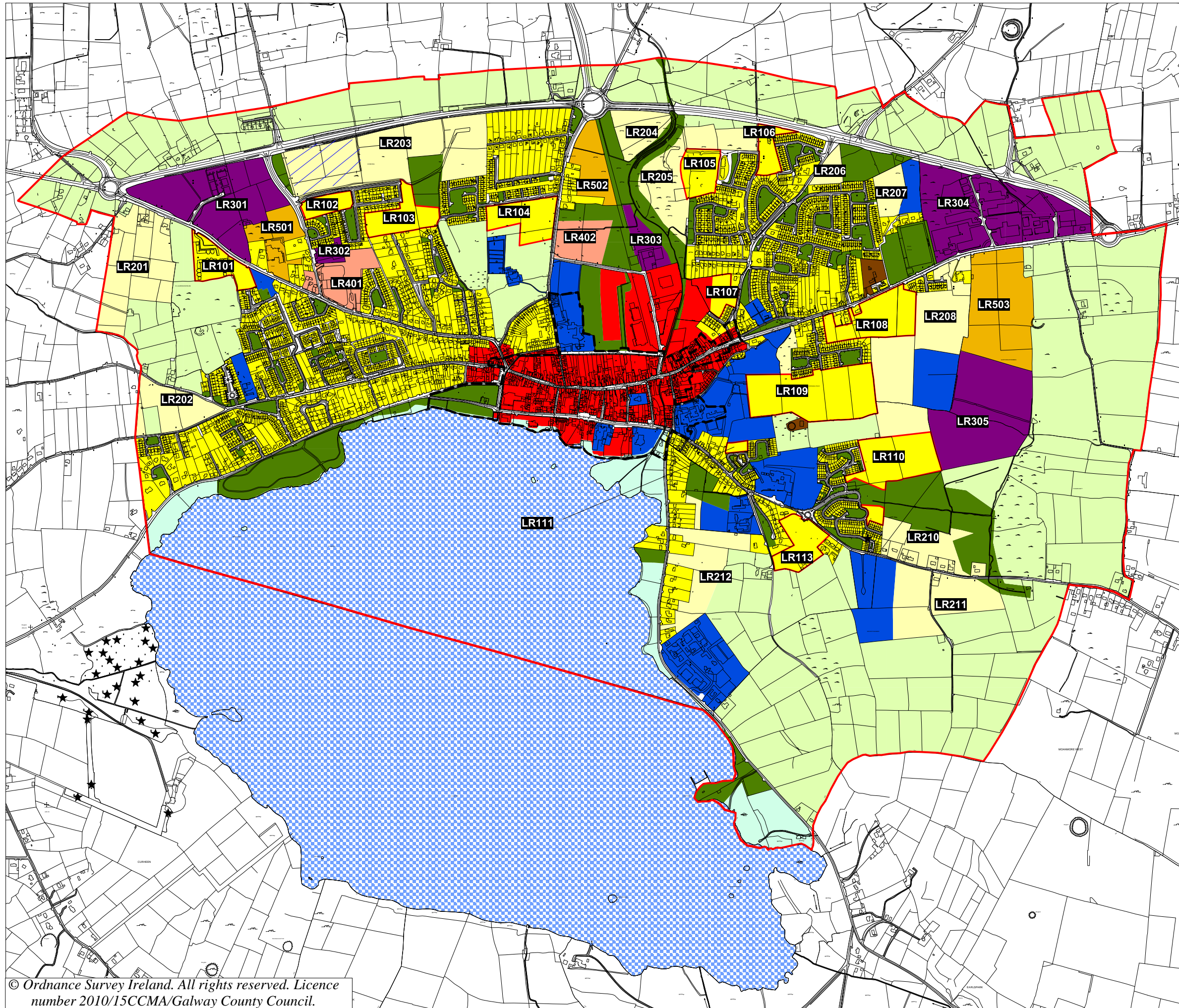
Given that the amended Loughrea LAP 2012-2018, is consistent with the Galway County Development Plan 2015-2021 and that the objectives of the LAP have not been substantially secured it is considered appropriate that the sending and publishing of the notices specified under Section 20(3)(a)(i) and (ii) of the Planning and Development Act 2000 (as amended) be deferred and that the period for which they be deferred should be 5 years, during which time the objectives identified in the LAP may be achieved.

3 Conclusion

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

- The Loughrea Local Area Plan 2012-2018 is consistent with the objectives and Core Strategy of the Galway County Development Plan 2015-2021.
- The objectives of the Loughrea Local Area Plan have not been substantially secured.
- The sending and publishing of the notices may be deferred for a period not exceeding 5 years (i.e. 24th September 2017) and thereby the lifespan of the Loughrea LAP 2012-2018 is extended for a further five years (i.e. up to and including 24th July 2022).

APPENDIX (i)



- Local Area Plan Boundary
- R - Residential (Existing)
- R - Residential (Phase 1)
- R - Residential (Phase 2)
- C1 - Town Centre / Commercial
- C2 - Commercial / Mixed Use
- BE - Business & Enterprise
- I - Industrial
- CF - Community Facilities
- OS - Open Space / Recreation & Amenity
- A - Agriculture
- EM - Environmental Management
- PU - Public Utilities
- TI - Transport Infrastructure
- ACA - Architectural Conservation Area
- Lake - Lough Rea

Note:
 This map should be read in conjunction with Map 2 A/2B - Specific Objectives, Map 3 A/3B - Flood Risk Management and the policies, objectives and guidelines contained within Section 2 and Section 3 of the Local Area Plan, including those in relation to land use management and zoning.



(Deferral Notice July 2017)

**LOUGHREA LAP 2012 - 2018
 MAP 1A - LAND USE ZONING**

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APPENDIX (ii)

LOUGHREA R1 ZONED LAND

R1 Zoned Lands	Title	Size	Planning Status
Site LR1-01	Land south of Athenry Road at St. Laurencefields	2.4ha	No Extant permission
Site LR1-02	Land north of Tí na Rí at Cosmona	1.19 ha	No Extant permission
Site LR1-03	Land south of Cois Furáin at Cosmona	2.57 ha	No Extant permission
Site LR1-04	Land south of Hazelwood	2.91 ha	No Extant permission
Site LR1-05	Land at west of Carraig Linn, Caheronaun	2.09 ha	
Site LR1-06	Land south of N66 at Caheronaun	1.29 ha	No Extant permission
Site LR1-07	Land west of Danesfort Road	1.12 ha	No Extant permission
Site LR1-08	Land south of The Hill/Dublin Road	4.13 ha	Ref: 16/1380, Tourist Lodge expires 13/03/2022
Site LR1-09	Land south of Jardin Drive Farranalynch	7.6 ha	Ref: 15/1334 Major Commercial/residential development 161 dwellings 25,930.03 sqm expires 20/12/2020. Ref: 15/1107 Erection of 68 dwellings, expires 24/07/2021
Site LR1-10	Land east of Baunoge	4.4 ha	No Extant permission
Site LR1-11	Land North of Cross Street	0.28 ha	No Extant permission
Site LR1-12	Land east of Baunoge	0.38 ha	No Extant permission
Site LR1-13	Land south of Portumna Road	2.47 ha	Ref: 16/814 8 no. semi-detached houses, 3 no. detached houses, to complete site works and outline permission for 4 no. houses (gross floor space 1413.6sqm) Expires 23/11/2021
TOTAL		32.83 ha	

LOUGHREA R2 ZONED LAND

R2 Zoned Lands	Title	Size	Availability
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Site LR2-01	Land south of N66 at Caherlavine	8.47 ha	No Extant Permission
Site LR2-02	Land north of Galway Road	3.42 ha	Ref: 08/1967 &14/237 Erection of 76 units expires 28/04/2019
Site LR2-03	Land south of N66 at Cosmona	12.93 ha (11.24ha)	Ref: 15/1623, 2 storey school building development commenced on part of site (1.69 ha approx.)
Site LR2-04	Land south of N66 at Monearmore	2.52 ha	No Extant Permission
Site LR2-05	Land west of Dun an Óir	6.05 ha	No Extant Permission
Site LR2-06	Land north of Danesfort Drive at Caheronaun	0.98 ha	No Extant Permission
Site LR2-07	Land at Caherwalter	1.62 ha	No Extant Permission
Site LR2-08	South of Dublin Road, land at Gorteenapheebera	10.32 ha	No Extant Permission
Site LR2-09	Land south of The Hill at Farranalynch	0.69 ha	No Extant Permission
Site LR2-10	Land north of Portumna Road Baunoge	4.19 ha	No Extant Permission
Site LR2-11	Land south of Portumna Road at Mountpleasant	3.55 ha	No Extant Permission
Site LR2-12	Land east of Woodford Road at Knockanima	5.19 ha	No Extant Permission
TOTAL		59.93 ha	

LOUGHREA ZONE I INDUSTRIAL LANDS

I Zoned Land	Title	Size	Planning Status
LR3-01	Gorteenabohogh	9.97 ha	Ref: 14/912 construction of warehouse (501.94 sqm) expires 05/01/2019 13/1037 EoD of 07/5107, Erection of 5 industrial Units (5719 sqm)
LR2-02	Cosmona	0.7 ha	No extant permission
LR3-03	Station Road Loughrea	1.8 ha	No extant permission
LR3-04		12.58 ha	

LOUGHREA ZONE C2 COMMERCIAL/MIXED USE LANDS

C2 Zoned lands	Title	Size	Planning Status
LR4-01	Land at Athenry Road	3.35 ha	No extant permission
LR4-02	Land at Gallows Hill, Moneymore	2.68 ha	No extant permission
TOTAL ZONED LAND		6.03 ha	

LOUGHREA ZONE BE BUSINESS/ENTERPRISE LAND

BE Zoned lands	Title	Size	Planning Status
LR5-01	Land at Athenry Road	4.17 ha	No extant permission
LR5-02	Land at N66/N65 roundabout	2.88 ha	No extant permission
LR5-03	Land at old Dublin Road Gorteenapheebera	8.89 ha	Ref: 11/1315 10yr phased consent for mixed use recreation/ light industrial development expires 10/12/2022
TOTAL ZONED LAND		15.94 ha	

APPENDIX (iii)

Topic	Loughrea LAP Policies	Loughrea LAP Objectives	Galway County Development Plan 2015-2021 Polices & Objectives	Consistency between LAP & CDP
Development Strategy	2.2.3	DS1, DS2, DS3, DS4,DS5,DS6,DS7,DS8	Objectives: DS1, DS3,DS6,DS7,DS8,DS12,CS1,C S2,CS4,CS5,CS6,SS5	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Land Use Management Policy	3.1.2	LU1,LU2,LU3,LU4,LU5,LU6,LU7,LU8, LU9,LU10,LU11,LU12,LU13,LU14,LU15,LU16	Policies: UHO1, TI2,R1,FL1,LCM1,SI1,AFF1,AFF2 Objectives:CS1,CS5,EDT4,EDT6, TI5,FL1	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Residential Development	3.2.2	RD1,RD2,RD3,RD4,RD5,RD6,RD7,R D8,RD9.	Policies: UHO1 & UHO2 Objectives:UHO1, UHO2, UHO3, UHO4, UHO5, UHO6, UHO7, UHO8, UHO9, UHO10, UHO11	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Community Facilities & Amenities Objectives	3.3.2	CF1,CF2,CF3,CF4,CF5,CF6-CF10	Policies: CF1, CF2, CF3, CF4, CF5, CF6, RA1, RA2,RA3,RA4, RA5 Objectives:CF1- CF9 RA1,RA2,RA3,RA4,RA5,RA6,RA 7	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Economic Development Policy	3.4.2	ED1,ED2,ED3,ED4,ED5,ED6,ED7.	Policies: CS3,EDT1-8, EDT10 Objectives: EDT1,EDT2,EDT3,EDT4,EDT5,E DT6.EDT7,EDT8,EDT9, EDT11, EDT12,EDT14, EDT17,EDT18,EDT19,EDT20,ED T24	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Transportation Infrastructure	3.5.2	TI1, TI2, TI3, TI4, TI5, TI6, TI7, TI8, TI9, TI10, TI11, TI12, TI13, TI14, TI15, TI16, TI17, TI18, TI19, TI20, TI21, TI22, TI23.	Policies: TI1, TI2, TI3, TI4, TI5, TI6, TI7, TI10, T I11 Objectives: DS3, T1, TI2, T13. TI4, TI5, TI6, TI7, TI8, TI9, TI	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals

			10, TI11, TI12, TI13, TI14, TI17, TI18, TI19, TI20.	
Utility & Environmental Infrastructure	3.6.2	UI1, UI2, UI3, UI4, UI5, UI6, UI7, UI8, UI9, UI10, UI11, UI12, UI13, UI14, UI15, UI16, UI17, UI18, UI19 -UI21	Policies: WS1, WS2, WS3, WS4, WS5, WW1, WM1, WM2, Objectives: WS1 --WS15, WW1- WW10, WM1, WM2, WM3, WM4, WM5, WM6, WM7.	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Urban design & Place-making	3.7.2	UD1, UD2, UD3, UD4, UD5, UD6, UD7	DM Standards 1—27, 29, 31-36, 38	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Built Heritage & Cultural Heritage	3.8.2	BH1-BH13.	Policies: DS5, DS10, GH1, GH2, GH3, GH4, AH1, AH2, AR1-ARC6 Objectives: AH1-AH11, ARC1-ARC7	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals
Natural Heritage & Biodiversity	3.9.2	NH1, NH2, NH3, NH4, NH5, NH6, NH7, NH8, NH9, NH10, NH11	Policies: DS5, NHB1-NHB7 Objectives: NBH1, NBH2, NBH3, NBH4, NBH5, NBH6, NBH7, NBH9, NBH11, NBH12, NBH14	Yes. The policies and objectives of the LAP and CDP strive to achieve the same goals