

## **DIRECTION IN THE MATTER OF SECTION 31**

### **OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

#### **Galway City Development Plan 2023 – 2029**

“Development Plan” means the Galway City Development Plan 2023 – 2029

“Planning Authority” means Galway City Council

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2023 (S.I. No. 116 of 2023), and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AN(4) of the Act, hereby directs as follows:

(1) This Direction may be cited as the Planning and Development (Galway City Development Plan 2023 – 2029) Direction 2023.

(2) The Planning Authority is hereby directed to take the following steps with regard to the Development Plan:

(a) Reinstate the following zoning objectives to that of the draft Plan:

- (i) A.4 Coolagh Road – i.e. subject land reverts to Agriculture and High Amenity (G) from Enterprise, Light Industry and Commercial (CI).
- (ii) A.9 Off Headford Road and Sandyvale Lawn – i.e. subject land reverts to Recreation and Amenity (RA) from Residential (R).
- (iii) A.11 Dublin Road – i.e. subject land reverts to Recreation and Amenity (RA) from Residential (R).

- (iv) A.13 Terryland – i.e. subject land reverts to Recreation and Amenity from Residential.
- (v) A.15 Quarry Road, Menlo – i.e. subject land reverts to Agriculture (A) from Residential (R2).
- (vi) A.16 Ballindooley – i.e. subject land reverts to Agriculture (A) from Residential (R2).
- (vii) A.17 Off Circular Road – i.e. subject land reverts to Agriculture (A) from Residential (R2).
- (viii) A.18 Off Circular Road – i.e. subject land reverts to Agriculture (A) from Residential (R2).
- (ix) A.19 Menlo Village Extension – i.e. subject land reverts to Agriculture and High Amenity (G) from Residential (R2).
- (x) A.20 Quarry Road – i.e. subject land reverts to Agriculture and High Amenity (G) from Residential (R2).
- (xi) A.21 Roscam – i.e. subject land reverts to Agriculture and High Amenity (G) from Residential (R2).
- (xii) A.23 Roscam – i.e. subject land reverts to Agriculture and High Amenity (G) from Residential (R2).
- (xiii) A.24 Menlo Village Extension – i.e. subject land reverts to Agriculture and High Amenity (G) from Residential (R2).
- (xiv) A.25 Headford Road – i.e. subject land reverts to Recreation and Amenity (RA) from Residential R2.

(b) Delete the following zoning objectives from the adopted Plan: i.e. the subject land is unzoned:

- (i) Land zoned Residential R2 in the adopted Plan at Cappagh consistent with the recommendation of the chief executive's report dated 16th June 2022.
- (ii) Figure 11.20 Ballindooley.
- (iii) Figure 11.26 Coolagh area.

- (iv) Figure 11.31 Coolagh area.
- (v) Figure 11.29 Quarry Road Menlo and two further sites on Monument Road Menlo.
- (vi) Figure 11.27 in the Castlegar area.
- (vii) Figure 11.28 in the Castlegar area.
- (viii) Figure 11.24 in the Roscam area.
- (ix) Figure 11.30 in the Roscam area.
- (x) Figure 11.14 in the extended Roscam area.
- (xi) Figure 11.25 Murrrough.

(c) Omit the specific development objectives in Section 11.2.8 of the Development Plan for the following lands as set out in the Chief Executive recommendations in the Chief Executive's Report dated 3<sup>rd</sup> March 2023:

- A.15 Quarry Road, Menlo.
- A.16 Ballindooley.
- A.19 Menlo Village Extension.
- A.20 Quarry Road.
- A.23 Roscam.
- A.24 Menlo Village Extension.
- Land zoned Residential R2 in the adopted Plan at Cappagh consistent with the recommendation of the chief executive's report dated 16<sup>th</sup> June 2022.
- Figure 11.20 Ballindooley.
- Figure 11.26 Coolagh area.
- Figure 11.31 Coolagh area.
- Figure 11.29 Quarry Road Menlo and two further sites on Monument Road Menlo.

- Figure 11.27 in the Castlegar area.
- Figure 11.28 in the Castlegar area.
- Figure 11.24 in the Roscam area.
- Figure 11.30 in the Roscam area.
- Figure 11.14 in the extended Roscam area.
- Figure 11.25 Murrough.

## **STATEMENT OF REASONS**

### **I. Pursuant to section 31(1)(b), section 31(1)(ba)(i) and section 31(1)(c)**

The Development Plan as made includes land zoned for residential development that individually and cumulatively are not consistent with the Core Strategy, national and regional planning policy, and the proper planning and sustainable development of the area, including:

- a. Land zoned for residential development that is not consistent with the Core Strategy in the adopted Plan.
- b. Land zoned for residential development in peripheral and unserved locations in a piecemeal and non-sequential manner inconsistent with the requirement for compact growth in NPO 3(a-b) of the NPF and RPO 3.2 of the RSES and to strengthen the value of greenbelts and green spaces under NPO 62, the requirement under section 10(2)(n) of the Act for objectives to promote sustainable settlement and transport strategies to reduce energy use and to reduce greenhouse gas emissions, and fails to have regard to the sequential approach to development having regard to the policy and objective of the Development Plans Guidelines for Planning Authorities (2022) ("the Development Plan Guidelines") regarding the sequential approach to zoning for residential development (section 6.2.3)

**II. Pursuant to section 31(1)(ba)(i) and section 31(1)(c)**

The Development Plan as made includes extensive areas of land zoned Residential R2 in a piecemeal manner in unserviced and peripheral and/ or isolated locations, and more often in areas otherwise zoned Agriculture or Agriculture and High Amenity, that would undermine the potential of the city to deliver its 50% compact growth target in NPO 3(a-b) of the NPF, and inconsistent with NPO 62 to strengthen the value of greenbelts and green spaces at a city level.

**III. Pursuant to section 31(1)(ba)(i) and section 31(1)(c)**

Land zoned for Enterprise, Light Industry and Commercial (CI) at an unserviced and remote location at Coolagh Road (material amendment A.4) inconsistent with the tiered approach to zoning under NPO 72 (a-c) of the NPF, the requirement under section 10(2)(n) of the Act for objectives to promote sustainable settlement and transport strategies to reduce energy use and to reduce greenhouse gas emissions, and fails to have regard to Development Plans Guidelines regarding sequential development in a city context, in particular in relation to the prioritisation of new development along high quality public transport corridors.

**IV Pursuant to section 31(1)(ba)(i) and section 31(1)(c)**

Land zoned for residential development in areas known to be at risk of flooding inconsistent with NPO 57 of the NPF, which seeks to avoid inappropriate development in areas at risk of flooding in accordance with Ministerial Guidelines issued under Section 28 of the Act, The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009) ("the Flood Guidelines").

**V Pursuant to section 31(1)(c)**

No adequate reasons nor explanations relating to the proper planning and sustainable development of the area have been provided to explain why lands have been zoned in such a way and how this approach (involving a failure to zone lands having regard to the Development Plan Guidelines and

Flood Guidelines) is consistent with an overall strategy for the proper and sustainable development of the area.

**VI Pursuant to section 31(1)(a)(i)(II)**

The Development Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under Section 31AM of the Act.

GIVEN under my hand,

A handwritten signature in blue ink that reads "Kieran O'Donnell". The signature is written in a cursive style and is positioned above a horizontal line.

Kieran O'Donnell TD  
Minister of State for Local Government and Planning

3 May, 2023