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**Planning Section,
Galway City Council,
City Hall,
College Road,
Galway.**

April 12th, 2022

Re: Submission on Draft Galway City Development Plan 2023 - 2029.

On behalf of my client, Conor Molloy.

Zoning of land at Coolagh, Castlegar, Galway.

Part Of Folio: GY104263F.

I, Gerard Hanniffy, Consultant Civil Engineer, confirm as follows:

I am a Consultant Civil Engineer having qualified as such in 1984 from the National University of Ireland, Galway (U.C.G.) with a Bachelor of Civil Engineering Degree and I am a corporate member of the Institution of Engineers of Ireland.

I confirm that I am a practising Consultant Civil Engineer with offices at Suite 21. Oran Court, Orantown Centre, Oranmore, Co. Galway.

I am the agent retained by Conor Molloy to prepare and submit this submission to be included in the **Draft Galway City Development Plan 2023 - 2029.**

Background .

The current Galway City Development Plan 2017 – 2023 had the land identified in the attached zoned “ **Zoning Objective LAP – Local Area Plan for Ardaun and Murrough**”

Continued/

Submission.

The Submission is requesting that "A change of zoning for a plot of land comprised within **Folio: GY104263F, Plan C2C4Q** from “**Zoning Objective LAP – Local Area Plan for Ardaun and Murrough**” to Low Density Residential as an extension of the existing Coolagh Village..

Until recently Conor Molloy was born into and has lived in the Coolagh Village, Castlegar, area all of his life. From his original parents dwelling in Coolagh Village he constructed his own family dwelling and as identified as **Folio GY41007F, Plan EG62, H91 X2RK within the Coolagh Village.**

Conor and his wife have 4 children in family, daughter Amy and sons Brian, Eoin & Dara. All 4 children were born and raised in the family home in Coolagh Village and are now adults with a housing need.

The land comprised within **Folio: GY104263F, Plan C2C4Q** , as described above, are the only lands in the ownership of Conor Molloy.

Total area of **Folio: GY104263F, Plan C2C4Q** is **4.0218 hectares.**

The purpose of this submission is to change the zoning of part of **Folio GY104263F measuring 1.1801 hectares in area:** from “**Zoning Objective LAP – Local Area Plan for Ardaun and Murrough**” to **Low Density Residential** as an extension of the existing Coolagh Village so as to accommodate 4No. family homes for his daughter Amy and his sons Brian, Eoin & Dara and their extended families all of whom are currently in rented accommodation.

His daughter Amy and his sons Brian, Eoin & Dara were born into the family home at Coolagh, Castlegar with strong ties to the Castlegar area and all are eager to remain in the Coolagh Village and the parish of Castlegar when setting up their own homes.

Also, due to the current financial climate, the gifted sites from their parents would enable all 4 children to secure mortgages to construct their own dwelling houses due to the fact that the Lender regards the site as a deposit for reckonable purposes and can be used as security.

1. The site is zoned land use zoning objective LAP – Local Area Plan for Ardaun and Murrough under the current city development plan 2017-2023. The Arduan Local Area Plan 2018-2024 sets out the vision, development strategy and policies for the sustainable development of Ardaun as a people and business friendly urban village, well connected with greater city and environs, where a suitable framework for private and public investment is available.

We submit that all that the Development Plan never envisaged or intended that the third generation of a family would be precluded from obtaining planning permission on their own lands in an area where they have been intrinsically involved with the fabric of the area.

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2. “The strategic goals of the LAP reflect the vision for Ardaun and inform the policies and development strategy for Ardaun. These are as follows:

Strategic Goal 1: Create a high quality, mixed use, urban village that will support a strong sustainable neighbourhood and facilitate access to a range of services and community facilities.

Strategic Goal 2: Create a business friendly urban village and support the sustainable economic growth of Ardaun.

Strategic Goal 3: Promote a sustainable environment through integration of landscape features and through promotion of the use of renewable, low carbon energy and green design.

Strategic Goal 4: Facilitate the development of an urban village that is well connected, walkable and accessible and that is so designed to encourage the use of sustainable transport modes.

Strategic Goal 5: Require a high standard of urban design to achieve a vibrant public realm with a distinct sense of place”.

I respectfully submit that this submission for "A change of zoning for a plot of land comprised within **Folio: GY104263F, Plan C2C4Q** from “**Zoning Objective LAP – Local Area Plan for Ardaun and Murrough**” to Low Density Residential complies with all of the goals of the Development Plan and the LAP, in so far as the continuation of a family within the area will support a strong sustainable neighbourhood by ensuring that the family continue to have further generations in the neighbourhood.

Secondly by ensuring that the family continues to grow in the area will support the sustainable economic growth of Ardaun.

Thirdly the design for all 4 dwellings would ensure the promotion of a sustainable environment through integration of landscape features and through promotion of the use of renewable, low carbon energy and green design. It is intended that all 4 dwellings will be A rated.

Fourthly, the proposed development would ensure a high standard of urban design to achieve a vibrant public realm with a distinct sense of place by creating a dwelling environment within which the family can thrive in the location of her forefathers.

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3. Local Area Plans must take account of the provision of the PD (A)A 2010. In that regard as all LAP's are subject to the core strategy of the Development Plan for the Local Authority. In that regard I would submit that it was never the intention that for the duration of the LAP that there would be a blanket exclusion from the granting of all one off housing applications. In those circumstances inference could be drawn that there is an exclusion on one off developments entirely and not alone would this be contrary to proper planning but I would submit would be an infringement on the constitutional property rights of the land owner and or applicant in this case. The Constitution declares that the State will vindicate the property rights of every citizen. Further the State guarantees to pass no law to abolish these rights. Article 43 acknowledges that these rights ought to be regulated by the principles of social justice. If the State passes a law that restricts your property rights, it may be required to compensate you for this restriction. It is well known that examples of restrictions or limitations on your right to your own property include town and regional planning, protection of national monuments, compulsory acquisition of land and property taxes. However I respectfully submit that to entirely restrict the applicant in circumstances where this is the only available property to her to provide a family home for herself and her daughter goes far beyond what was ever intended and that in those circumstances that this is an exceptional case and should be treated as such.

4. The site, the subject matter of this submission, is located on a road which is the main artery of the Coolagh Village and will be utilised in any development of the LAP. There are three dwelling houses and one farmyard on the roadway immediately after the proposed site, the subject matter of the within Submission, which terminates in a cul de sac.

I beg to refer to a copy of the site location map annexed hereto and a copy of the Ardaun LAP. This is the only public roadway under the charge of Galway City Council which currently exists with the Ardaun LAP. I submit that the within submission would be in keeping with the existing dwellings in the area and that this roadway will be retained within any future LAP for the Ardaun area. Further should there be any development in the area that same will follow the existing roadway which has serviced the village for in excess of 100 years.

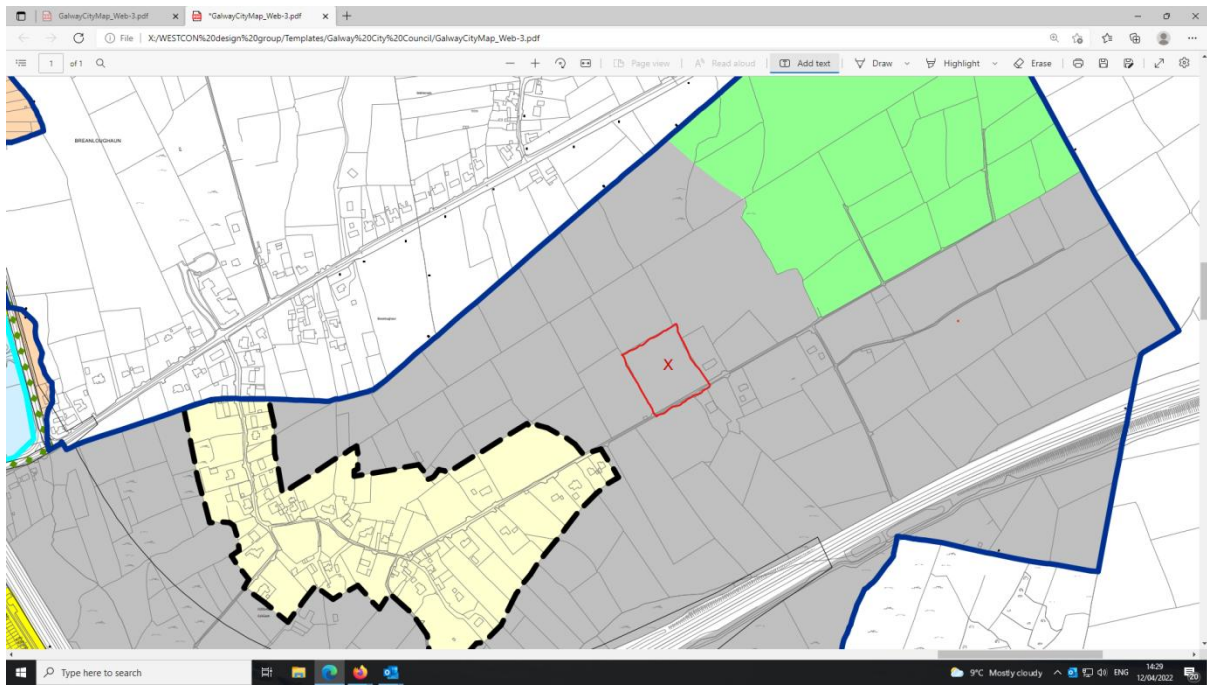
5. The LAP has been in existence since 2012 with the current plan running from 2018-2024 and there has been no development in relation to the plan to date, indeed to the best of my knowledge information and belief there has been no LAP Monitoring and Review Report, in accordance with best practice. The existing Ardaun land bank comprises of approximately 164 Hectares and the draft proposal for the Ardaun LAP is to provide for 8,000 dwellings over the next five years. However it can be argued that the infrastructure to service such a development in terms of surface water disposal and foul sewer disposal cannot be achieved in such a timescale and that the proposal of 1,000 dwellings over the next five years is a more realistic target. As such and with regard to the Statutory obligations and in those circumstances the applicant herein should not be at a loss as a result of same and indeed his position vis a vis providing sites for family homes for his 4 children.

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6. For this and the aforesaid reasons it is respectively requested that the planning authority should grant the submission from the applicant, Conor Molloy, to change the zoning of part of **Folio GY104263F measuring 1.1801 hectares in area:** from “**Zoning Objective LAP – Local Area Plan for Ardaun and Murrough**” to **Low Density Residential** as an extension of the existing Coolagh Village so as to accommodate 4No. family homes for his daughter Amy and his sons Brian, Eoin & Dara and their extended families all of whom are currently in rented accommodation.

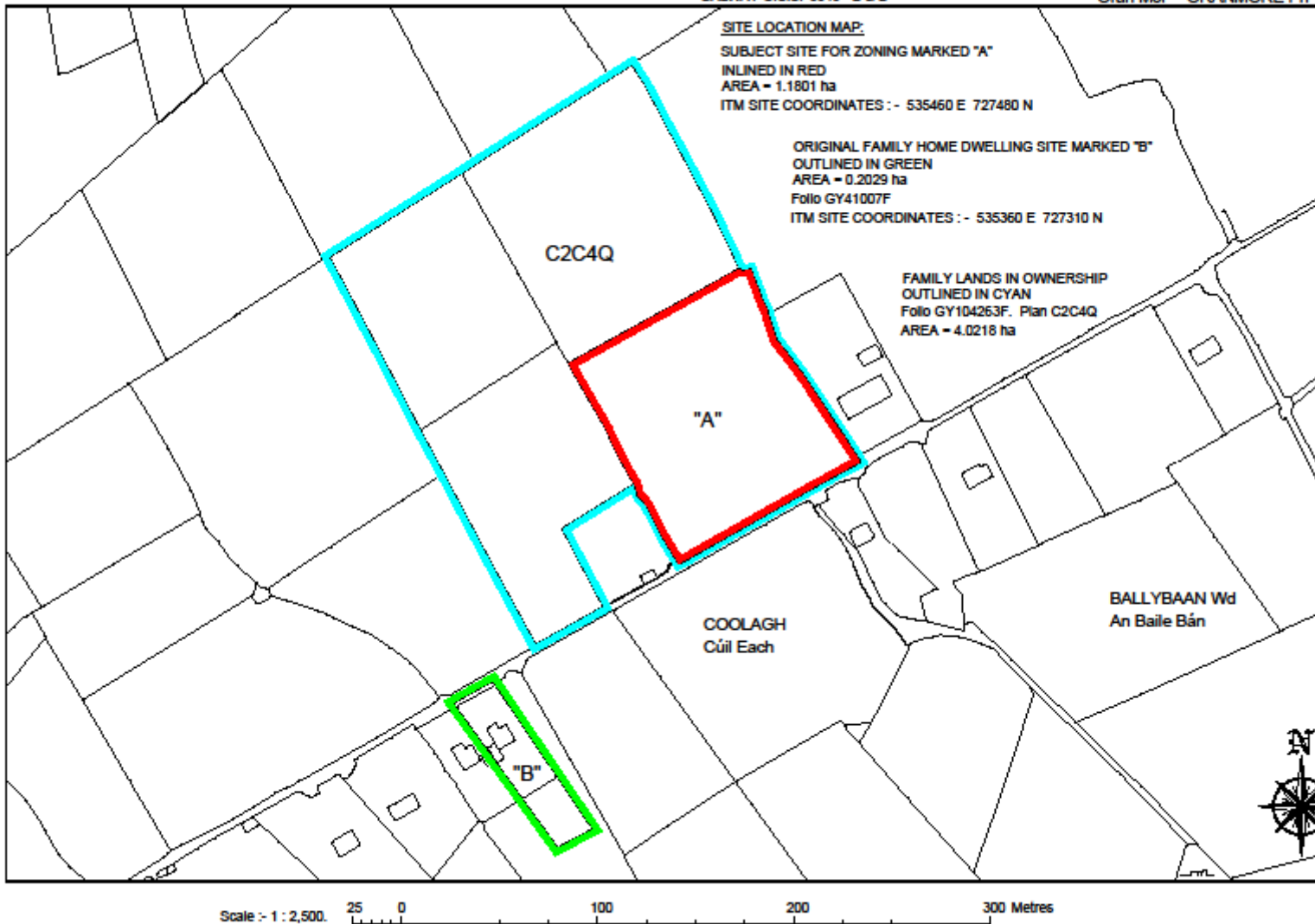
Enclosures:

- Please also find attached the Folio File Plan for Folio GY104263F. Family Lands in ownership.
- Please also find attached the Folio File Plan for Folio GY41007F. Original Family Home Dwelling.
- Site Location Map.
- Zoning Map 1
- Zoning Map 2.



Galway City Zoning Map 2017 – 2023. Subject Plot Of Land Marked “X” and lined in Red.

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Location of land lined in Red.

Yours Sincerely

Agent

Signed: _____

Gerard Hanniffy B.E. M.I.E.I.

Consultant Civil Engineer

Dated this 12th day of April 2022