



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

9<sup>th</sup> August 2024

Alan Dillon TD,  
Minister of State for Local Government and Planning,  
Department of Housing, Local Government and Heritage,  
Custom House,  
Dublin 1,  
D01 W6X0.

**BY HAND AND BY EMAIL**

**Re: Notice Pursuant to section 31AO(7) of the Planning and Development Act  
2000 (as amended) – Loughrea Local Area Plan 2024-2030**

A chara,

I am writing to you in relation to the recent adoption of the Loughrea Local Area Plan 2024-2030 (the 'Local Area Plan') by the elected members of Galway County Council (the 'Planning Authority').

In particular, I am writing to you in the context of the statutory duty of the Office of the Planning Regulator (the 'Office') pursuant to section 31AO(7) of the *Planning and Development Act 2000*, (as amended) (the 'Act'), to issue a Notice to you on the basis that, having considered the Local Area Plan, the Office is of the opinion that:

- a) the Local Area Plan has not been made in a manner consistent with recommendations of the Office, made in its submissions at material alterations stage, dated 13<sup>th</sup> May 2024, which required specific changes to the Local Area Plan:
  - i. to ensure consistency with the Galway County Development Plan 2022-2028 (the 'County Development Plan'), regional policy objectives (RPOs) of the Northern and Western Regional Assembly Regional Spatial and Economic Strategy (RSES) for sustainable growth which prioritises connectivity by way of safe, secure walking and cycling routes and public transport (RPO 6.30 of the RSES and County

Development Plan Policy Objectives PM 4 and PM 6), and supports the provision of pedestrian and cycling infrastructure for shorter local journeys (County Development Plan Policy Objectives GCTPS 4 and WC 4).

Specifically, the Local Area Plan includes a material alteration to zone land for Community Facilities located on the far side of the N65 national primary road with no existing or planned accessibility by walking, cycling or public transport from Loughrea. Furthermore, any subsequent development is likely to be car dependent contrary to the mandatory target to reduce greenhouse gas (GHG) emissions by 51% under the *Climate Action and Low Carbon Development Act 2015*, as amended (the 'Climate Act') and the actions relating to transport under the *Climate Action Plan 2024* (the 'Climate Action Plan');

- ii. to ensure consistency with regional policy objectives of the RSES (RPO 6.5) and Policy Objectives of the County Development Plan (NR 1) to protect the strategic capacity and safety of the national roads network and associated national road junctions, and having regard to sections 2.4 and 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) (the 'National Roads Guidelines').

Specifically, the Local Area Plan includes a material alteration to zone land for Community Facilities adjoining the N65 national primary road;

- b) the decision of the Planning Authority results in the making of a local area plan in a manner that is inconsistent with the recommendations of Office, and with the objectives of the County Development Plan; and
- c) that as a consequence of (a) and (b) the use by you of your function to issue a direction under section 31 of the Act would be merited.

The reasons for the opinion of the Office are set out in further detail in section 2 of this letter. This letter is a Notice to you pursuant to section 31AO(7) of the Act.

## **1. Background**

### **1.1 Draft Loughrea Local Area Plan 2024-2030**

The draft Local Area Plan was on public display from the 24<sup>th</sup> November 2023 to the 15<sup>th</sup> January 2024.

The Office made a submission on the draft Local Area Plan dated 15<sup>th</sup> January 2024 which contained two (2) recommendations and five (5) observations. Specifically, the issues related to:

- Recommendation 1 - Existing Residential; and
- Recommendation 2 - Transport and Mobility.

Subsequently, the Director of Services sent a notice letter under section 20(3) of the Act dated 15<sup>th</sup> April 2024 advising the Office of the proposed material alterations to the draft Local Area Plan (the 'Material Alterations').

### **1.2 Material Alterations to the Draft Loughrea Local Area Plan 2024-2030**

The elected members, having considered the draft Local Area Plan and the Chief Executive's (CE's) Report on the public consultation regarding the draft Local Area Plan received 13<sup>th</sup> March 2024 (CE's Report draft stage), resolved to alter the draft Local Area Plan. The Material Alterations to the draft Local Area Plan were on public display from 15<sup>th</sup> April to 13<sup>th</sup> May 2024.

The Material Alterations included a series of individual material alterations relating to Community Facilities, and in particular included:

- Proposed Material Alteration MA35 relating to the zoning of land for Community Facilities;
- Proposed Material Alteration MA37 also relating to the zoning of land for Community Facilities; and
- Proposed Material Alteration MA36 to include Policy Objective LSST 86 to *'reserve the lands for Sport, Recreation and Community Development'*.

The Office made a submission dated 13<sup>th</sup> May 2024 on the Material Alterations containing one (1) recommendation and one (1) observation, including:

- MA Recommendation 1 - Lands Zoned for Community Facilities uses.

### **1.3 Adopted Loughrea Local Area Plan 2024-2030**

The elected members of the Planning Authority resolved to make the Local Area Plan at a special meeting on the 15<sup>th</sup> July 2024.

Subsequently, the Chief Executive sent a letter dated 22<sup>nd</sup> July 2024 to the Office, which the Office has interpreted as the notice required under section 31AO(5) of the Act, (the '31AO(5) notice letter') advising of the making of the Local Area Plan and specifying that the Planning Authority did not accept the majority of the recommendation of the Office in respect of MA Recommendation 1.

Specifically, the elected members made the Local Area Plan with both MA35 (Community Facilities zoning objective) and MA36 (Policy Objective LSST 86 in respect of the reservation of lands for Sport, Recreation and Community Development). However, the Local Area Plan was made without the second Community Facilities zoning objective under MA37.

You should note that the aforementioned Policy Objective LSST 86 was renamed Policy Objective LSST 19 in the adopted Local Area Plan.

In respect of MA35, the elected members made the Local Area Plan with a minor modification to the western boundary of this material alteration. This minor modification to the site boundary addressed the flood risk concerns in MA Recommendation 1.

The Office agrees with the 31AO(5) notice letter that MA Recommendation 1 has not been fully complied with in respect of MA35 and MA36.

The 31AO(5) notice letter sets out the Chief Executive's recommendations in respect of MA Recommendation 1, and includes a summary of the elected members' reasons for not complying with the majority of MA Recommendation 1.

The 31AO(5) notice letter does not address the recommendations of the Office in respect of the draft Local Area Plan, or identify the recommendations not complied with.

Having reviewed the adopted Local Area Plan the Office notes that Recommendation 1, relating to land use zoning objective Existing Residential, was not complied with. However, the Office accepts the Chief Executive's justification set out in the CE's Report (draft stage), and considers that a recommendation to the Minister to issue a draft Direction is not warranted in respect of this matter.

The Office is otherwise satisfied that the recommendations to the draft Local Area Plan have been satisfactorily addressed.

The outstanding matters are, therefore, confined to the matter of the zoning objective and policy objective relating to community facilities detailed under MA Recommendation 1, specifically MA35 and MA36.

These outstanding matters are considered in more detail below.

#### **1.4 MA Recommendation 1**

The Material Alterations zoned land previously outside the settlement boundary and unzoned as Community Facilities (MA35<sup>1</sup>), and introduced a policy objective LSST 86 to reserve the lands for sport, community and recreational opportunities (MA36).

The lands zoned under MA35 (c.18 ha) are located on the northern side of the bypass (N65) for the town with no existing or planned accessibility by walking, cycling or public transport from Loughrea, and immediately adjoining the national primary road.

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<sup>1</sup> MA35 is referenced as 'Rezone lands from Outside the Settlement Boundary to Community Facilities' in the Material Alterations. The lands were, however, unzoned in the draft Local Area Plan.

Policy Objective LSST 19<sup>2</sup> states:

***LSST 19 Reserve the lands for Sport, Recreation and Community Development.***

*It is a Policy Objective of Galway County Council to reserve the lands for Sports, Community and Recreational Opportunities for the Town of Loughrea and its Hinterlands.*

In relation to MA36, this material alteration was included in MA Recommendation 1 because the minutes of the Municipal District of Loughrea meeting, held on the 26<sup>th</sup> March 2024, stated that the policy objective related to the MA35 lands. Having reviewed the adopted Local Area Plan, the Office is satisfied that the policy objective in itself (i.e. in the absence of the zoning objective) is not inconsistent with the objectives of the County Development Plan. The Office therefore has no objection to LSST 19 as a policy objective within the Local Area Plan, and considers that a recommendation to the Minister to issue a draft Direction is not warranted in respect of MA36.

**MA Recommendation 1** required the Planning Authority make the Local Area Plan without MA35 and MA36, stating:

**MA Recommendation 1 – Lands Zoned for Community Facilities uses**

Having regard to the proposed zoning of community facilities land and the need for sustainable growth of compact development which prioritises travel by walking and cycling, to protect the capacity and safety of national roads, and to avoid development in areas at risk of flooding, and in particular to:

- policy objectives NR.1 PM4, PM6, GCTPS4, WC1 & WC 4 of the Galway County Development Plan 2022-2028;
- RPO 6.5 and RPO 6.30;
- the Strategic Environmental Assessment Report on the material alterations and the draft Loughrea Local Area Plan 2024-2030 (the LAP);

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<sup>2</sup> Formerly Policy Objective LSST 86 in the Material Alterations.

- policy objective LSST 54 of the draft LAP;
- section 2.4 and 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012);
- *the Planning System and Flood Risk Management Guidelines* (2009);
- *the Climate Action Plan 2024* as empowered by *the Climate Action and Low Carbon Development Act 2015*, as amended,

the planning authority is required to make the LAP without the following Material Alterations:

- (i) MA35 – Rezone lands from Outside the Settlement Boundary to Community Facilities;
- (ii) MA36 – New Policy Objective LSST 86; and
- (iii) MA37 - Rezone lands from Outside the Settlement Boundary to Community Facilities.

The CE's Report on the material alterations (CE's Report MA stage) agrees with the Office's recommendation and recommends that the Local Area Plan be made without MA35.

The Environmental Report prepared as part of the Strategic Environmental Assessment by the Planning Authority also raises concerns in respect of the zoning objective under MA35, in particular that the subject lands are:

- contrary to sustainable compact growth, sustainable mobility and a transition to a low carbon and climate resilient society;
- contrary to meeting carbon emission reduction targets; and
- would negatively impact on the economic viability of providing for public assets and infrastructure.

The National Transport Authority's (NTA) submission to the Material Alterations, dated 13<sup>th</sup> May 2024, also considers that the inclusion of MA35 would undermine the

draft Local Area Plan objectives to promote sustainable settlement and transportation strategies. In particular the NTA submission states the following:

*It is noted that there are no proposed transport networks or access arrangements, in particular for active travel, set out in the LTP to serve the zoning of lands at this location for Community Facilities and, as such, subsequent development is likely to be car dependent.*

Furthermore, the NTA submission states:

*The NTA is concerned about the potential impact on the N65 of significant zoning at this location, in the absence of proposals to serve the lands by sustainable means and the likely resulting car dependency of travel to/from the area.*

The Transport Infrastructure Ireland (TII) submission, dated 3<sup>rd</sup> May 2024, also raises concerns in respect of MA35, and states the following:

*...TII concurs with the Recommendation of the Chief Executive that the subject lands being located to the north of the N65 would compromise the strategic function and traffic safety on this high speed national road.*

The elected members did not accept the Chief Executive's recommendation and made the Local Area Plan with MA35, for the following reasons:

- *The Town of Loughrea, Co Galway has a nationally unique lack of sporting and recreational facilities.*
- *There is just one playing pitch within the entire town boundary of Loughrea, a town with over 6,200 people expected to rise to 8,500 by 2029.*
- *This is a GAA pitch which is rightly monopolised by the local Hurling Club. There is no pitch available to the Gaelic Football, Junior Hurling and Camogie Clubs, ladies and men's with approaching 2,000 members. There is no soccer pitch in the town. The local clubs travel to neighbouring parishes well outside the town to access facilities, regularly forfeiting home advantage.*
- *Some of our local hockey players have to make round trips of over 20km to their nearest hockey pitch, which is located in the very rural parish of Leitrim.*



- *All of this means that thousands of kilometers are unnecessarily being driven by cars on a weekly basis to access facilities which could be located centrally to the north of the town at the proposed more central location.*
- *The town is one of the fastest growing in the West of Ireland. Its urban population is forecast to grow from over 6,200 people to approximately 8,500 over the next five years with similar growth expected in the Loughrea Rural District. We have a crisis where our youth, as deserving as any, cannot enjoy what is available in all other towns of similar size and smaller across the island of Ireland, north & south.*
- *There is simply no other option in terms of where these much needed facilities might be located in one clustered location with multi-use, multi-games facilities.*

Specifically, in response to the Office's concerns that the location of the proposed facility will increase carbon emissions from additional car kilometers, the elected members re-iterate that the location of the proposed facility would reduce the total amount of car kilometers given the current situation of extensive travel to existing sporting facilities.

Finally, the reasons from the elected members' replies to specific inputs and observations from the government bodies include the following:

- Loughrea has experienced significant population growth;
- the Loughrea Sports and Community Development Group concluded that there is inadequate provision of sporting facilities in the town;
- there is no access proposed off the N65. The proposed access is from the local road L4196;
- a proposed underpass would connect near to proposed active travel route WC24 LTP and provide walking and cycling to the main residential area in Loughrea at Caheronaun;
- the CE's Report fails to acknowledge that the current sports club members travel to sports facilities beyond the town;

- it is estimated that the proposed facility will reduce the annual travel by 1,500,000km (equivalent of 600 metric tonnes of carbon per year);
- the proposed alternative site at Gorteenapheebera is not available as it is privately owned, and is further removed from residential areas; and
- no alternative site is available for a multi-sports community facility.

The Office acknowledges Loughrea's population growth over the previous census period, and the consequent demand for sporting facilities and amenities within the town. Further, the Office fully supports the provision of sporting, community and recreational facilities for the town.

However, the County Development Plan, together with the RSES, provides a clear policy framework to ensure the sustainable growth of the town and to prioritise active travel modes, including walking and cycling, which will facilitate the transition to a healthy and low carbon climate resilient society.

This includes RPO 6.30 of the RSES to encourage services being within walking and cycling distance, which is consistent with Policy Objective PM 5 of the County Development Plan. Furthermore, Policy Objectives Policy Objective PM 4 encourages modal shift to more sustainable transport alternatives, Policy Objective PM 6 seeks to ensure the provision of different types of recreation and amenity uses with connectivity by way of safe, secure walking and cycling routes, and Policy Objectives GCTPS 4, and WC 4 to support walking and cycling networks.

These objectives for sustainable growth are fully supported within the context of national policy in terms of the National Sustainable Outcome of the National Planning Framework for sustainable mobility, the mandatory target to reduce GHG emissions by 51% under the Climate Act, the actions relating to transport under the Climate Action Plan including the *National Sustainable Mobility Policy (2022)* targets to reduce vehicle kilometres travelled per year.

In this case, the lands the subject of MA35 are located beyond the N65 National Primary Road, with no existing or planned active or sustainable travel connections. Any recreational / community uses would therefore be car-dependent and would not be consistent with the approach outlined in the aforementioned policy framework.

The Office also acknowledges the reasons submitted by the elected members in relation to the reduction of car kilometers and carbon emissions by people currently having to travel longer distances to access sporting facilities in other towns / parishes / areas.

The above policy framework is clear, however, that such uses should be accessible by sustainable means consistent with a modal shift in the towns of county to more sustainable transport alternatives. As stated above, the subject lands have no active travel connections, with no connections planned either as part of the Local Area Plan or the Local Transport Plan (LTP). The only way to access the lands from housing within the town would be to cross the N65 national primary road (100kph speed limit) with no pedestrian or cycle crossing, representing a significant safety concern particularly given that a community or recreational use at this location is likely to generate travel demand from vulnerable users such as children.

The Office acknowledges that measure WC24 of the LTP provides for '*designation as an on-street cycle route with footpath upgrades*' along the Danesfort Road. However, this stops south of the N65, and access to the lands associated with MA35 by walking and cycling or links to public transport has not been provided.

the Office notes that the elected members state that an underpass could provide access to the lands, however, no such proposal is included in either the Local Area Plan or LTP. Furthermore, it is clear not how such a piece of infrastructure would be funded or its timeline for delivery.

The Office notes that the reasons submitted by the elected members state that no access is proposed off the N65, and the proposed access is from the local road L4196. However, any access off the local road would be proximate to the junction with the N65.

It is a policy objective of the County Development Plan (NR1) to protect the strategic transport function of national roads and associated national road junctions through the implementation of the National Roads Guidelines. Sections 2.4 and 2.7 of those guidelines state that development adjacent to national roads or their junctions should be avoided. These sections of the guidelines also outline that planning authorities should exercise particular care when providing zonings beside junctions along

national routes and that potentially compromising the capacity and efficiency of the national road/associated junctions should be avoided.

These provisions are also consistent with RPO 6.5 to maintain the strategic capacity and safety of the national roads network.

Furthermore, any vehicular access onto the local road L4196 would have to demonstrate that it satisfactorily meets the requirements of DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads, of the County Development Plan.

Any alternative access onto the N65 National Primary Road would be contrary to Policy Objective NR1 (Protection of Strategic Roads) of the County Development Plan, RPO 6.5 (National Roads) of the RSES, and to sections 2.4 and 2.7 of the National Roads Guidelines (which the Policy Objective NR 1 requires to be implemented).

In respect of an alternative site for the proposed community development, the Chief Executive in the CE's Report (draft stage) proposed an alternative site, at Gorteenapheebera. The reasons submitted by the elected members state that the lands are not available as they are owned privately and are further from residential areas. The ownership of lands does not, however, prevent the planning authority from zoning the lands Community Facilities. Those lands are also more accessible to the town centre and residential areas by the existing road network and would be served by active travel Measure WC8 of the LTP.

Irrespective, it does not follow that the MA35 lands are suitable for zoning Community Facilities, in particular having regard to the issues raised above.

No or no adequate reasons have been provided to explain why the Planning Authority has decided to retain MA35, when it is inconsistent with Policy Objectives PM 4, PM 5, PM 6, GCTPS 4, WC 4, and NR 1 of the County Development Plan, and/or Regional Policy Objectives RPO 6.30 and 6.5 of the RSES, and to sections 2.4 and 2.7 of the National Roads Guidelines (which the Policy Objective NR 1 requires to be implemented).

## 2. Opinion of the Office and Reasons

Having considered the Local Area Plan as adopted, under section 31AO(6) of the Act, the Office is of the opinion that the said Local Area Plan has not been made in a manner consistent with the recommendations of the Office.

Further, the Office does not accept that the reasons given for not implementing the Office's recommendations in the 31AO(5) notice letter adequately justifies the failure to implement those recommendations or explain how, notwithstanding that failure, the Local Area Plan as made is consistent with the objectives of the County Development Plan.

As you will be aware, the Office has various functions in respect of evaluating and assessing local area plans, summarised as follows:

- under section 31AO(1) of the Act, the Office has a statutory duty to evaluate and assess at least at a strategic level planning authority proposals to make, amend or revoke local area plans;
- under section 31AO(2) the Office shall endeavour to ensure that where appropriate it addresses the legislative and policy matters set out at (a) to (e) therein;
- under section 31AO(3)(a), in making observations or submissions in respect of any local area plan evaluation or assessment, the Office shall make, to the relevant planning authority, such recommendations in relation to the Office's evaluation and assessments as it considers necessary to ensure effective co-ordination of national, regional and local planning requirements by the relevant planning authority in the discharge of its development planning functions;
- under section 31AO(6), the Office shall consider whether or not the local area plan as made, amended or revoked by the planning authority is, in the opinion of the Office, consistent with any recommendations made by the Office;
- in performing its functions, the Office must, under section 31P(3) of the Act, take account of the objective for contributing to proper planning and sustainable development and the optimal functioning of planning under the Act; and
- under section 31S, the Office must, in performing its functions, have regard to:

- a) the policies and objectives for the time being of the Government, a State authority (including Ministerial guidelines, policy directives and directions issued under *Chapter IV of Part II*), planning authorities and any other body which is a public authority whose functions have, or may have, a bearing on the proper planning and sustainable development of cities, towns, villages or other areas, whether urban or rural;
- b) the public interest and any effect the performance of the Office's functions may have on issues of strategic, economic or social importance to the State;
- c) the National Planning Framework (or, where appropriate, the National Spatial Strategy) and any regional spatial and economic strategy for the time being in force; and
- d) the requirements of relevant acts of the European Union, in particular, those relating to —
  - (i) the Environmental Impact Assessment Directive,
  - (ii) Directive 2001/42/EC of the European Parliament and Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment,
  - (iii) the Habitats Directive, and
  - (iv) the Birds Directives,

in so far as those requirements relate to planning authorities by virtue of being designated competent authorities for the purposes of those acts.

Accordingly, having considered the Local Area Plan in light of the above statutory functions and the 31AO(5) notice letter, the Office is of the opinion that the Local Area Plan has not been made in a manner consistent with the recommendations of the Office. In particular:

- the Local Area Plan includes a material alteration to the draft Local Area Plan to zone land as Community Facilities located on the far side of the N65 national primary road with no existing or planned access by walking, cycling or public transport from Loughrea, which is inconsistent with the objectives of the

RSES and County Development Plan for sustainable growth which prioritises connectivity by way of safe, secure walking and cycling routes and public transport (RPO 6.30 of the RSES and County Development Plan Policy Objectives PM 4 and PM 6), and supports the provision of pedestrian and cycling infrastructure for shorter local journeys (County Development Plan Policy Objectives GCTPS 4 and WC 4).

- the Local Area Plan includes a material alteration to zone land as Community Facilities adjoining the N65 national primary road inconsistent with RPO 6.5 of the RSES and Policy Objective NR 1 of the County Development Plan to protect the strategic capacity and safety of the national roads network and associated national road junctions, and to sections 2.4 and 2.7 of the National Roads Guidelines (which the Policy Objective NR 1 requires to be implemented).

No or no adequate reasons relating to the proper planning and sustainable development of the area have been provided to explain why the planning authority has decided to retain the material alteration which is inconsistent with the objectives of the County Development Plan and the Objectives of the RSES.

In making the Local Area Plan with the material alteration, and not implementing MA Recommendation 1 of the Office's submission to the draft Local Area Plan, the Planning Authority has made the Local Area Plan contrary to the requirements of section 19(2) of the Act which requires local area plans to be consistent with the objectives of the County Development Plan and any regional spatial and economic strategy that applies to the area of the Local Area Plan.

The factors that the Office has taken into account in forming this opinion are as follows:

- (i) The objectives and policies of the County Development Plan, NR 1, PM 4, PM 5, PM 6, GCTPS 4, and WC 4 which state:

**NR 1 – Protection of Strategic Roads**

*To protect the strategic transport function of national roads and associated national road junctions, including motorways through the implementation of the*

*'Spatial Planning and National Roads Guidelines for Planning Authorities'*  
*DECLG, (2012) and the TransEuropean Networks (TEN-T) Regulations.*

#### **PM 4 – Sustainable Movement within Towns**

*It is a policy objective of the Planning Authority to encourage modal shift in our towns to more sustainable transport alternatives through mixed use development that enables local living and working which is well connected to sustainable transport infrastructure such as walking, cycling, public bus and rail transport.*

#### **PM 5 – Sustainable Transport**

*Promote sustainable transport options as an alternative to the private car for people to access local services which will facilitate the transition to a low carbon climate resilient society.*

#### **PM 6 – Health and Wellbeing**

*Promote the development of healthy and attractive places by ensuring: (a) Good urban design principles are integrated into the layout and design of new development; (b) Future development prioritises the need for people to be physically active in their daily lives and promote walking and cycling in the design of streets and public spaces (c) New schools and workplaces are linked to walking and cycling networks (d) The provision of open space considers different types of recreation and amenity uses with connectivity by way of safe, secure walking and cycling routes. (e) Developments are planned for on a multi-functional basis incorporating ecosystem services, climate change measures, Green Infrastructure and key landscape features in their design.*

#### **GCTPS 4 – Walking and Cycling**

*Support for, and enhancement of, existing and new walking and cycling networks as the “first choice” for shorter local journeys and to link settlements within the County and to Galway City.*



## **WC 4 – Modern Network of Walking and Cycling Infrastructure**

*To continue to work and engage with the National Transport Authority, the Department of Transport and other agencies in developing a modern network of walking and cycling infrastructure in the County.*

- (ii) Regional Policy Objectives RPO 6.5 and RPO 6.30 which state:

### **RPO 6.5**

*The capacity and safety of the region’s land transport networks will be managed and enhanced to ensure their optimal use, thus giving effect to National Strategic Outcome No.2 and maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements.*

### **RPO 6.30**

*Planning at the local level should promote walking, cycling and public transport by maximising the number of people living within walking and cycling distance of their neighbourhood or district centres, public transport services and other services at the local level such as schools.*

- (iii) National Roads Guidelines, which state:

### **Section 2.4 Approach to Plan Preparation**

*Where a development plan or local area plan proposes development to take place on zoned lands adjacent to national roads which could affect the operation and capacity of such roads, the planning authority must prepare its plans in such a way that demonstrates that such roads can continue to perform their strategic transport function into the future by:*

- *protecting undeveloped lands adjoining national roads and junctions from development so as to cater for potential capacity and safety enhancements (in consultation with and subject to the agreement of the NRA);*
- *ensuring, where appropriate, and taking account of these Guidelines, that capacity enhancements and/or traffic management measures can be put in place to facilitate new development around national roads*

*and associated junctions, together with enhancement funding mechanisms, and*

- *improving operational efficiency of the non-national road and transportation infrastructure – e.g. where appropriate, promoting new non-national road networks and alternative transport/travel modes.*

*Planning authorities must therefore develop an evidence-based approach to planning policy and undertake detailed transport modelling, as necessary. The NRA and NTA can assist the process by data exchange and assisting with the development of assumptions.*

### **Section 2.7 – Development at National Road Interchanges or Junctions**

*Planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. They must make sure that such development which is consistent with planning policies can be catered for by the design assumptions underpinning such junctions and interchanges, thereby avoiding potentially compromising the capacity and efficiency of the national road/associated junctions and possibly leading to the premature and unacceptable reduction in the level of service available to road users.*

- (xi) The CE's Report (draft stage), the CE's Report (MA stage) and the 31AO(5) notice letter;
- (xii) Matters generally within the scope of section 19 of the Act;
- (xiii) The Office's statutory obligations under the Act; and
- (xiv) section 15(1) of the Climate Act.

In light of the above, the Office is, therefore, of the opinion that the Local Area Plan has not been made in a manner consistent with its recommendations as set out in the submission dated 13<sup>th</sup> May 2024, and that the decision of the Planning Authority results in the making of a Local Area Plan in a manner that is inconsistent with the

County Development Plan of the area concerned, and as a consequence the use by the Minister of his or her functions to issue a direction under section 31 would be merited.

### **3. Recommendation to the Minister**

Having regard to section 31AO(7) of the Act, the Office recommends the exercise of your function under the relevant provisions of section 31 of the Act taking such steps as to rectify the matter in a manner that, in the opinion of the Office, will ensure that the local area plan sets out an overall strategy for proper planning and sustainable development as set out in the draft direction to the planning authority accompanying this notice letter, i.e.

- (a) Delete material alteration MA35 from the adopted Local Area Plan - i.e. the subject lands revert to unzoned from Community Facilities.

Please do not hesitate to contact the Office should you have any queries in relation to the above. Contact can be initiated through the undersigned or at [plans@opr.ie](mailto:plans@opr.ie).

Yours sincerely,

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A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive style with a horizontal line under the name.

**Anne Marie O'Connor**

Deputy Regulator and Director of Plans Evaluation

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**DRAFT DIRECTION IN THE MATTER OF SECTION 31  
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)  
Loughrea Local Area Plan 2024-2030**

“Local Area Plan” means the Loughrea Local Area Plan 2024-2030.

“Planning Authority” means Galway County Council.

“County Development Plan” means Galway County Development Plan 2022-2028

“RSES” means the Regional Spatial and Economic Strategy for the Northern and Western Region

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) (“the Act”) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2024 (S.I. No. 234 of 2024), and consequent to a recommendation made to him by the Office of the Planning Regulator, hereby directs as follows:

- 1) This Direction may be cited as the Planning and Development (Loughrea Local Area Plan 2024-2030) Direction 2024.
- 2) The Planning Authority is hereby directed to take the following steps with regard to the Local Area Plan:
  - (a) Delete Material Alteration MA35 from the adopted Local Area Plan - i.e. the subject lands revert to unzoned from Community Facilities.

**STATEMENT OF REASONS**

- I. The Local Area Plan includes a material alteration to the draft Local Area Plan to zone land as Community Facilities located on the far side of the N65 national primary road with no existing or planned access by walking, cycling or public transport from Loughrea, inconsistent with the objectives of the RSES and County Development Plan for sustainable growth which prioritises

connectivity by way of safe, secure walking and cycling routes and public transport (RPO 6.30 of the RSES and County Development Plan Policy Objectives PM 4 and PM 6), and supports the provision of pedestrian and cycling infrastructure for shorter local journeys (County Development Plan Policy Objectives GCTPS 4 and WC 4).

- II. The Local Area Plan includes a material alteration to zone land as Community Facilities adjoining the N65 national primary road which is inconsistent with RPO 6.5 of the RSES and Policy Objective NR 1 of the County Development Plan to protect the strategic capacity and safety of the national roads network and associated national road junctions, and to sections 2.4 and 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) (which the Policy Objective NR 1 requires to be implemented).
- III. The Local Area 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 31 AO of the Act.
- IV. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area, which is a requirement of the Act.
- V. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the RSES, which is a requirement of the Act.
- VI. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

Minister for Housing, Local Government and Heritage

day of Month, year.



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

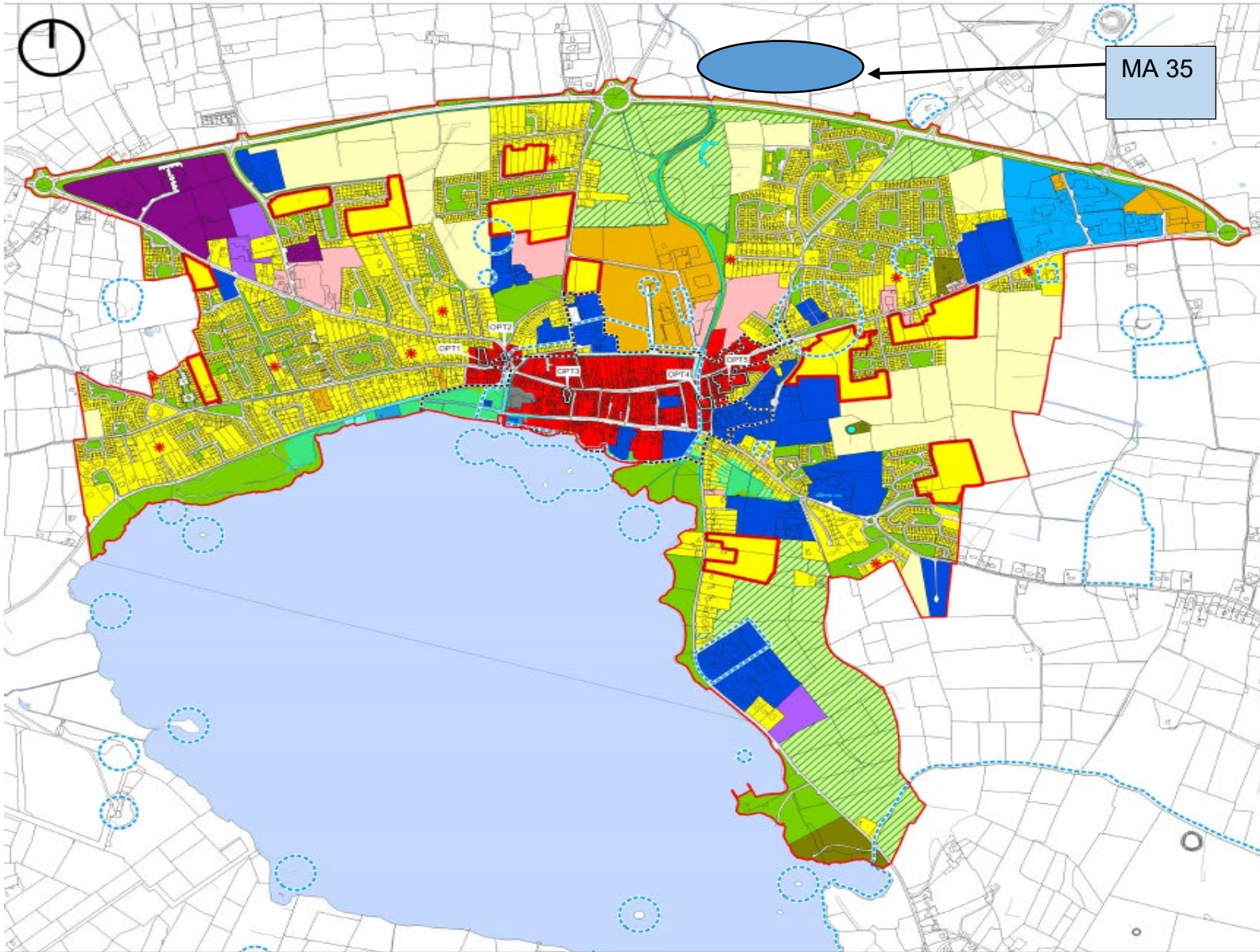
## **Appendix 1: Mapping of Sites Identified in Draft Direction**

# Aerial view for context

Note: This aerial view is for context only. Please refer to the mapping below for precise details.







- Settlement Boundary
- R - Residential Existing
- R - Residential (Phase 1)
- R - Residential (Phase 2)
- Residential Infill
- C1 - Town Centre
- C2 - Commercial/Mixed Use
- BE - Business & Enterprise
- BT - Business & Technology
- I - Industrial
- CF - Community Facilities
- T - Tourism
- PU - Public Utility
- OS - Open Space/Recreation & Amenity
- A - Agriculture
- TI - Transport Infrastructure
- Water/Rivers/Streams
- Constrained Land Use
- Opportunity Site (Labelled - OPT#)
- Architectural Conservation Area
- Archaeological Zone of Notification
- Water Outside LAP Boundary

**Draft Loughrea Local Area Plan  
2024-2030**

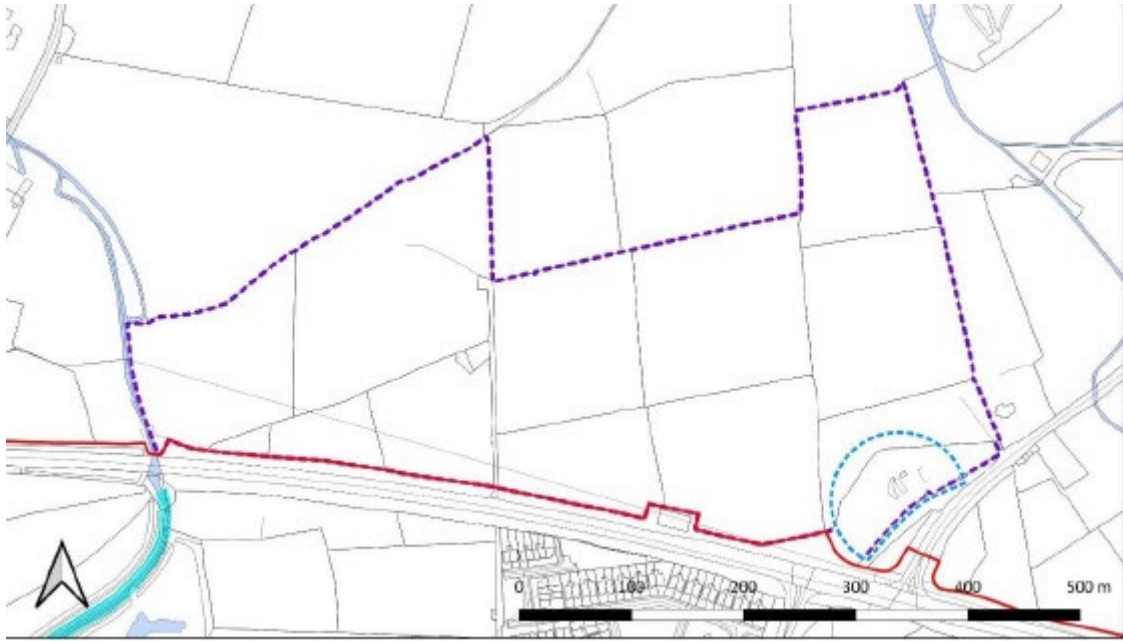
**Map 1A Land Use Zoning Map**



Galway County Council 2023/OSI\_NMA\_090  
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## MA 35 'Caheronaun Site'



Draft Plan = Unzoned Land



Adopted Plan = Community Facilities