

**DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

Tuam Local Area Plan 2018-2024

“Local Area Plan” or “LAP” means the Tuam Local Area Plan 2018-2024

“The Planning Authority” means Galway County Council

WHEREAS the functions of the Minister for Housing, Planning and Local Government under the Planning and Development Acts 2000 to 2018, other than Chapter 1 of Part VI of the Planning and Development Act 2000, have been delegated to the Minister of State at the Department of Housing, Planning and Local Government pursuant to the Housing, Planning and Local Government (Delegation of Ministerial Functions) Order 2017 (S.I. 352 of 2017).

WHEREAS the Minister of State at the Department of the Housing, Planning and Local Government is, for the reasons set out in the Statement of Reasons hereto, of the Opinion that

(i) Galway County Council in making the Tuam Local Area Plan 2018-2024 has ignored or has not taken sufficient account of the submissions made by the Minister in September 2018,

and

(ii) the Tuam Local Area Plan 2018-2024 is not in compliance with the requirements of s.28(1B)(b) and s.31(1)(a), (b) & (c) of the Planning and Development Act 2000 (as amended).

NOW, THEREFORE in exercise of the powers conferred on him by s.31 of the Planning and Development Act 2000 (as amended), the Minister of State at the Department of Housing, Planning and Local Government hereby directs as follows:

(1) This Direction may be cited as the Planning and Development (Tuam Local Area Plan 2018-2024) Direction 2019.

(2) The Galway County Council is hereby directed to take the following steps with regard to the Tuam Local Area Plan 2018-2024 (“the Local Area Plan”).

- (i) The map entitled ‘Land Use Zoning Objectives Map’ of the Tuam LAP 2018-2024 of April 2018 is to be amended by:
 - a. Reverting back the lands identified as MA4, MA5, MA6 and MA11 as per the proposed Material Alterations (April 2018) to the provisions of the Draft Plan (January 2018), where the subject lands were not included in the Draft Plan and subsequently not zoned; and
 - b. Removing these additional zonings from the Tuam Land Use Zoning Map and reverting the LAP boundary to reflect the Draft Plan boundary as published January 2018.

For the purpose of clarity the subject lands and their zoning status is indicated on the attached map –‘Appendix 1’.

STATEMENT OF REASONS

The Department made a submission, dated 5th September 2018, to the Planning Authority outlining concerns relating to a number of the proposed material alterations regarding the zoning of lands in Tuam

In making the Tuam LAP Galway County Council has adopted four material alterations (MA4, MA5, MA6 & MA11) that extend the boundary of the LAP to incorporate additional lands for residential phase 1 development. The Department has serious concerns in relation to non-sequential residential phase 1 zonings. These zonings represent a significant departure from the advices contained in the National Planning Framework as regards securing a sequential approach to urban development generally and specific requirements of planning guidelines including Section 5 of the Local Area Plan Guidelines 2013 and sections 2.3 and 6.3(b) of the guidelines on Sustainable Residential Development in Urban Areas 2007, which states that ‘new development should contribute to compact towns and villages’.

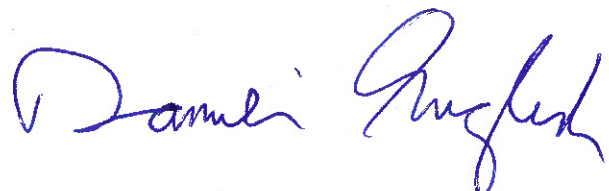
Such zonings are located in a scattered and disorderly manner and represent very poorly integrated and non-sequential development that would not be in the interests of the long-term development of Tuam.

The zoning of MA4, MA5, MA6 & MA11 also create internal inconsistencies within the local area plan between the effect of the amendments and wider objectives of the local area plan including Policy DS 1 (Development Strategy) and Objectives DS 1 (Orderly and sequential development), DS 2 (Consistency with the Core Strategy), Policy LU 1 (Land Use management), Objective LU 3 (Residential), Policy RD1 (Residential development) and Objective RD2 (sequential development).

The adoption of these zonings also conflicts with the preferred development strategy option as outlined and assessed within the LAP, to rationalise land use zonings in Tuam to align with the core strategy of the County Development Plan.

In light of the above the Minister is of the opinion that the Tuam Local Area Plan 2018-2024 is not consistent with relevant guidelines to planning authorities issued by my Department under Section 28 of the Planning & Development Act 2000 (as amended), specifically the Local Area Plan Guidelines 2013 and guidelines on Sustainable Residential Development in Urban Areas 2007 and insufficient grounds have been stated for such departures as required under Section 28(1B)(b) of the Planning & Development Act 2000 (as amended). The plan is therefore in breach of Section 31(1)(a), (b) and (c) of the Planning & Development Act 2000 (as amended).

GIVEN under my hand,



Minister for Housing and Urban Development

This day nd 31 of January 2019.

